APPENDIX.

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SENATE.

SUNDAY, *February 2, 1919.*

Omitted from the Record of Sunday, February 2 (legislative day of Friday, January 31), 1919.

Memorial Addresses on the Late Senators Stone and James.

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR STONE.

Mr. REED. Mr. President, I present the following resolutions and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 433) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. WILLIAM JOEL STONE, late a Senator from the State of Missouri, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Missouri.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. REED. Mr. President, I desire at this point to yield the floor to my colleague [Mr. SPENCER].

Mr. SPENCER. Mr. President, in the infallible record of the Holy Scriptures it is written: "There are three things that are never satisfied, yea, four things—say not, It is enough." The first of these is the grave, always demanding, constantly receiving, ever insatiable.

Again its awful power has been felt in this Chamber and ruthlessly it has summoned from service and association and cooperation WILLIAM JOEL STONE.

In the sad hush of death and in the calm reflection that follows thereafter, many things are forgotten which perhaps ought never to have been remembered, and many things are remembered which certainly ought never to have been forgotten.

After death the big things commendable and worthy of emulation in the character and speech and action of him who is gone appear like gold from the refiner's fire, and the dross of human imperfections so common to us all become alike valueless and discarded.

Great in mind, great in speech, great in accomplishment, as was the distinguished Senator from Missouri in whose memory we are this day assembled, he was conspicuously great in his loyalty and fidelity to his friends.

Ingratitude in public life is doubly regrettable and despicable. The small man when he finds himself in the possession of the place or the power for which he craved is apt to forget the help and self-sacrifice and encouragement of those by whose efforts his ambitions were gratified, and he yields easily to the suggestion of indifference or neglect in anything that concerns their interests and does not directly advance his own.

No one ever accused Senator STONE of either disloyalty to his friends, personal or political, or of indifference to the things in which they were interested. He was a friend, tried and true, faithful and loyal and in every county of Missouri there are multitudes of those who have followed his political career in the county, in the House of Representatives, as governor of his State, and as a Member of this body, and who constantly believed in him, trusted him, loved him, and revere his memory.

One of the repeated events of the political campaign last fall which I shall always remember was the loving devotion of this great number of people, most of them well advanced in years, who could not speak of Senator STONE without a tear, and whose affection and admiration, which represented the accumulated growth of a generation, nothing could either shake or destroy. He was the dominating power in the councils of his party for 30 years. When danger threatened, when differences of opinion became acute, it was to his wise council and unquestioned party loyalty that all factions turned in confident willingness to abide by his decision, certain alike of its fairness and its wisdom.

He had the courage of his convictions. He won his political battles even when the odds seemed largely against him. He was one of the great men of his party in his State and in the Nation.

The eloquent words which he himself used in his great eulogy of James N. Burnes, of Missouri, in the House of Representatives 30 years ago this month, may with fitting propriety and with peculiar appropriateness be used of Senator STONE:

> He had iron in his blood. He was a dangerous man to wrong. He knew how to remember, how to resent, how to revenge. A fallen foe or a repentant one he was ready always to forgive. Accessible at all times to honorable reconciliation, an open foe did well to guard with caution and watch with apprehension. He was fruitful of resource, adroit in attack, masterful in defense, relentless in pursuit. His enemies, whether those who had done him a positive wrong or those who had stood as obstacles in the way of his great purposes, had never any reason to doubt that sooner or later an opportunity would come to test his mettle. He fought as occasion required, but honorably. Some who stood against him, in their most promising periods of apparent safety, have suddenly felt their foundations sinking and seen the fabric of their strength falling about them without comprehending the cause of disaster. Others he has confronted and sprung upon with the roar and crush of a lion, impatient of restraint, and swept them away at once. While his enemy stood upon his feet to strike and defy, he had in his blood the merciless instinct of battle and in his brain the inspiration of the warrior. But when the sun went down upon a battle finished, there came back to his heart the gentleness of a woman and a longing to forgive and be forgiven.

As an orator Senator STONE was magnetic, forceful, eloquent in diction and in manner, thrilled and thrilling in the earnestness with which he felt and proclaimed his sentiments. Personal gain had for him neither temptation nor attraction. The best years of his life he gave to the service of those whom he represented. Efficient and painstaking, alert and resourceful, sympathetic and intelligent, he was ever engaged in the duties of his public life and had neither the ability nor the time to acquire anything for himself. He died a poor man in the things of this world.

Sorrow and joy are mingled together in this memorial service. Sorrow because of the vacant place, the vanished touch, the silent tongue, the lost companionship; joy in the reflection of the great things and good things which abound in his long life of great public importance. We bow our heads in sorrow, but in the very midst of grief there springs up with ever-increasing frequency both gratitude and love for the good things that abide and forgetfulness of the mistakes and errors that are forgotten. The things that have been wrongly done and the failures incident to every life, let us write them in the dew of the morning that the rising sun may destroy forever the record. The things in which we rejoice and which we emulate let us carve upon marble that it may with the increasing years survive forever.

"If a man die, shall he live again?"

It is the agonizing question in the hearts of those who remain. It is the problem that demands solution by every open grave. It is the unspoken thought of every mind.

Of the life beyond the grave Senator STONE had no doubt. Years ago he said:

> This I do know that there is in me, as in you, a feeling which is independent of mere desire, a strange consciousness that is not connected with any sense of fear or hope, that there is something in us that is not "of the earth earthy"; that is not of this mortality, mortal. I take hold of this.

In the last hours of his life he sent a message to Sims, the veteran barber of the Senate, whose love for the word of God and its teaching is known to many Senators upon this floor, and from whom Senator STONE had more than once heard the simple story of the cross. He died on the very day when he had expected to again hear this aged negro preach, and the message which he sent is characteristic of what was running in his mind at the last, for he said, "Tell Sims to continue to preach the gospel."

Other things assume their proper place of insignificance in the shadow of eternity. Pomp and power and wealth and strength are empty baubles when death comes into view. It is so compellingly invincible. Its very silence speaks infallibly of its overwhelming power. Whether it comes without expectation or in the course of waiting, it is alike the manifestation of the absolute helplessness of man and of the power of God.

Once after traveling for hours over the plains and looking upon the distant hills and valleys and admiring now more and now less the changing scenes of ordinary things about me, I came—almost without warning—to the very brink of the Grand Canyon of the Colorado that stretched out as far as the eye could see in a continued picture of indescribable grandeur.

Mountains of varied colors were piled upon mountains of changing hues, and in spite of their mammoth size seemed almost lost because of the far greater immensity of the gulf in which they lay—a gulf which the ceaseless river, looking like a slender band of silver at the distant bottom of the canyon, had cut through the centuries out of rock and earth.

I gasped for breath at the wonder of it. Man was impotent either to create it or to imitate it or to prevent it. It was like the rising of the sun by day or the queenly luster of the moon by night—the mighty work of Omnipotent God.

So in this hour we stand in solemn awe before death, impotent to delay or prevent. Kings and paupers are alike subject to its imperial decree. It is God at such a time with whom we have to do. He "who hath measured the waters in the hollow of His hand, and meted out heaven with the span, and comprehended the dust of the earth in a measure, and weighed the mountains in scales, and the hills in a balance."

Money and rank and earthly achievement like the froth of the boiling cauldron, which for the moment is most conspicuous, soon disappear and fade away. The enduring things, fidelity, loyalty, sympathy, integrity, bravery, gentleness, are the characteristics that abide, and above them all that simple faith which, like a little child, accepts the things which God has promised and the words which He has spoken.

I never stand above a bier and see
The seal of death on some well-loved face
But that I think one more to welcome me
When I shall cross the intervening space
Between this land and that one over there—
One more to make the strange beyond seem fair.
And so for me there nothing is in death,
And so the grave has lost its victory;
It is but crossing with abated breath
And white set face a little strip of sea,
To find the loved ones waiting on the shore,
More beautiful, more precious than before.

Mr. HITCHCOCK. Mr. President, we have gathered here to-day in memory of one who was in public life, with certain intermissions, for nearly 45 years, a record of public service and personal sacrifice rarely equaled even in the United States.

WILLIAM JOEL STONE had the force of character, ability, and education which equipped him for great success and a prosperous career in his chosen profession. Had he followed that profession he would have attained all the luxuries and indulgences which success in it brings. Yet he listened to the call of public service and at the age of 24 years took up the burdens of public life, which he carried with few intermissions until the age of 70, when he died in harness.

I have coupled with this public service a suggestion of personal sacrifice, and that was characteristic preeminently of this great Senator from Missouri, for practically all his life he lived, as he died, a poor man, content with the rather meager salaries which attach to public office. There was a quiet dignity, as well as a suggestion of pathos, in Senator STONE'S attitude toward the world in which he labored so long, so ably, and so patiently for such modest recompense, when he might, like others of his ability, have commanded so much. I feel justified, therefore, in speaking of him as one who made a personal sacrifice in serving the public.

Mr. President, before a man reaches the Senate of the United States he has as a rule gone through a number of severe struggles which have on more than one occasion tried his mettle. I doubt, however, whether any Member of this body ever passed through a more tempestuous career of political struggle in his own State than did Senator STONE. He not only went through those struggles for himself but he went through those struggles for his party, to which he was deeply attached, and he went through them for his friends, for whom he was ready to make all sacrifices. He was a seasoned veteran when he came here.

He delighted in combat. He combined a wonderful degree of courage with a very unusual sagacity, and at all times he exhibited that fidelity to his convictions and to his friends to which the Senator from Missouri [Mr. SPENCER] has already referred. In all these contests he showed himself to be a foe to be feared and a friend to be trusted.

When he entered the broader field of national politics he took naturally and of right a high position of leadership. I remember particularly in the great Bryan campaigns, which began with the mighty revolutionary contest of 1896, WILLIAM JOEL STONE was one of the few old honored leaders who did not desert the standard of his party but who came forward with all his resources to carry out the party decree that had been rendered at the Chicago convention. Later, when his party was triumphant and Wilson was elected President of the United States with a Democratic Congress, Senator STONE gave to the great constructive measures, which distinguished particularly the first term of President Wilson, all the ability and all the energy and all the enthusiasm which he possessed. He struggled to bring about that party solidarity and party discipline which were absolutely necessary to carry these great national measures into effect.

Senator STONE had been a tower of strength in the days of struggling Democracy, and he became one of the active forces which made effective the great measures that were undertaken.

Mr. President, let us not forget to consider the great, final sacrifice of Senator STONE'S life. I have said he lived a life of public service and sacrifice. I fully believe that in the decision he reached, under which he felt compelled to separate himself from the dominant will of the country, under which he felt compelled to vote against the war which the country had decided on, he made that final sacrifice which only a strong and courageous man is willing to make in adhering to his personal convictions. I do not know with whom Senator STONE consulted. I doubt whether he consulted with anyone. I knew something of his decision before he made it public. I endeavored to dissuade him from it, but I found he was adamant in his conviction that he was right. He felt that he could not change his position without sacrificing his self-respect and doing violence to his conscience. He could easily foresee the storm of criticism which he invited, but he was willing to make that final sacrifice. He was ready to bear the criticism of the world and the opprobrium which enemies visited upon him; he was willing to encounter all that for the sake of adhering to what he believed to be right.

Senator STONE, as I have said, was a fighter. He was a man who had won his way into public life by adherence to his convictions and by devotion to his party. He was the "stormy petrel" of politics. The greater the storm the higher he rose above it. He was not willing when the great crisis came to yield his convictions. He was against war and so recorded himself. But when the country had made its decision and war was declared we all remember how Senator STONE took up actively and energetically the fullest and most complete support of all the measures proposed to make that war a success.

Mr. SAULSBURY. Mr. President, my acquaintance with Senator STONE covered a period of more than 20 years. Sometimes it had been of a close and intimate character, sometimes it had resembled that of a casual acquaintance, but from the beginning of the period until Senator STONE'S death I admired him for his courage, for his ability and fearlessness, for his disregard personally of the character of the opposition he aroused or encountered. I believe he as unhesitatingly expressed his views, his likes and dislikes, as any man I ever knew.

A good many of us recall how once a presidential candidate of our party characterized the section of the country from which I come as "the enemy's country." We all probably remember the scream of opposition and antagonism in the public press when that expression was used. A political campaign had to be conducted in my section of the country as well as elsewhere, and WILLIAM J. STONE was asked to take charge of and manage that Democratic campaign. He knew as well as any man what effort was involved, how unfriendly for the most part would be the attitude of the potential forces, and yet, as a duty he felt he owed to his party and his country, he accepted the work and conducted that campaign so far as it could be conducted in a masterly manner, taking advantage of every opportunity to further the interests of his party and its then candidate with great tact and consummate skill. Apologizing to none, currying favor nowhere, but maintaining the integrity of the principles of his party in the contest in every way, he overlooked no opportunity of which a brilliant intellect and tireless energy could avail itself.

It was a great pleasure to me to be associated with Senator STONE whenever our relations were of such a character that they could approach semi-intimacy. He was a very charming man in his personal relations with his friends, and I had the privilege of occupying that position from time to time, broken

sometimes by periods of absence and now and then by occasions when we had somewhat violently disagreed on public matters or on questions of policy. Any man who lived with Senator STONE, in my opinion, had such periods. So far as I was concerned, at least, while courtesy might control him in small differences, when anything approached a fundamental difference it was well to be prepared for any condition of antagonism that might arise.

Senator STONE was a strong man and fought hard. When he felt strongly, personal consideration and personal friendship did not control his thoughts, speech, or action. He was undoubtedly a wise, able, and sometimes an intense advocate, and on such occasions personal considerations and personal relations, so far as my observation went, had little weight with him. He was a great believer in the efficacy of party regularity and party organization, and impatient of the actions of anyone unwilling or unable on ordinary occasions to subordinate his views to the opinions of his colleagues when those opinions were expressed clearly by the majority, and he never hesitated, so far as I know, to express to his colleagues, whether of his own party or the opposition, his opinion of their acts or position, and used no honeyed words to soften the asperities which might be engendered.

For his own part, there were very few occasions when he could not bring his own action into accord with what he knew to be the considered conclusion reached by his party associates. A man of this kind, Mr. President, is a useful legislator. My judgment is that either branch of Congress is better off the more men of this type are found among its Members. Life sometimes is not so pleasant, personal relations are often not so agreeable, but no man who respects strength and vigor and ability and the frank expression of views held by his colleagues can fail to appreciate the life and character of WILLIAM JOEL STONE. No one despised more than he a "carpet knight" in politics. He was a leader of men, and lead them as commander of the fighting forces.

There have been occasions when mistakenly, as I think, he assumed positions on public questions not held by a majority of us. His attitude was almost invariably misconstrued and commented upon in an unfriendly way by many enemies, most of whom he despised; but, in my opinion, no one could ever properly accuse Senator STONE of being un-American, or unpatriotic, for no man more consistently than he, after we entered into the great war, more loyally supported measures intended to strengthen our country, to uphold her power, and to bring her forces to efficiency and victory.

Senator STONE was a brilliant man; he was a clever man; he was an eloquent man; and he gave to his country the best that was in him. He has been a distinct loss to this body and those of us who knew him best, even when cordial relations were sometimes interrupted, but whose appreciation of him survived monentary differences, know well that Senator STONE was a strong, able, conscientious American patriot, a great man, and a good friend.

Mr. WEEKS. Mr. President, the Senate has assembled today to honor the memory of one of our late and distinguished colleagues, Senator WILLIAM JOEL STONE, of Missouri. While I did not have the pleasure of the close personal relationship with Senator STONE, either in committee association or long service enjoyed by some Senators, yet our association on the floor of the Senate and in other ways compelled my admiration of him and his tireless and efficient attention to the duties of his office.

Missouri is one of the very great States of the Union—important in natural resources, in its location, in its principal cities, and, more than in other ways, in the character of its people. When I came to the House of Representatives in 1904, as a result of the Republican landslide of that year, the political complexion of the delegation from Missouri had changed to some degree. I found there, however, firmly entrenched in the confidence of their constituents several strong Representatives, and notably among the leaders in that body two men who had even then made their impress on the House of Representatives and on the country—David A. De Armond, who at that time was a member of the powerful Committee on Rules and one of the deservedly leading debaters and Members of the House, who came to an untimely end in attempting to rescue his grandson from a burning building; and the other, the present Speaker of the House of Representatives, CHAMP CLARK, who, with great credit to himself and his State, is completing a term of service in that position as long as that great office has been held by any man in the history of our Government.

Being a new Member, with a maximum of time and a minimum of responsibilities, I had opportunity to study political conditions. Quite naturally my attention was called to a State which retained and promoted men of such ability and qualities, and my interest led me to look into the past and the then present senatorial representation of Missouri, only to find that the characteristics and qualities which had caused the selection of such Members of the House of Representatives had been equally evidenced in the selection of Members of the Senate from the earliest days of the State. Mr. Benton was an important figure in a Senate led by some of the greatest men in our political history, and his prominence and usefulness served as a standard which has been maintained throughout the life of the State down to our own time in the selection of men of great capacity to represent Missouri in the Senate.

As a recent example of this custom, Missouri was represented in the Senate during the last years of the nineteenth century by two of the most conspicuous men who have served in this body—the silver-tongued Vest and that sterling militant figure, Francis Marion Cockrell, who only recently ended his service in connection with the National Government.

Notwithstanding the great qualities of these men and others to whom I have not time to make special reference, they were succeeded by one who, in my opinion, excelled them all in political wisdom and leadership. Senator STONE was for many years a leading figure in this body. While I had never heard him speak when engaged in the practice of law, he was undoubtedly a most effective advocate in civil life. He at least brought that quality to the Senate and became the skillful advocate of the interests of the people he represented and of his political party. That he performed that service with great effectiveness is known to every man with whom he served. Those who have heard him will never forget his ingenious pleas for any cause in the interests of his constituents or the Democratic Party, although the soundness of some of the policies he advocated was sometimes questioned by his political opponents and even by his political friends. I have never heard any stronger arguments in such matters than he has made in this Chamber, and his loss to his State and to his party in this body is as nearly irreparable as can be the loss of any one man.

I had kindly and friendly relations with him. While an extreme partisan, he was on most cordial terms with many of those not aligned with him politically, and I shall never forget one incident in my political life which will always make me recall his friendly tendencies toward his associates. Soon after I entered the Senate I made a trip to the West, which was largely political in its character. This was well known to Senator STONE, and my errand was not one which in any way obligated him to give any attention to my visit to his State. Yet when I arrived in Missouri he was one of the first men to call on me at my hotel and welcome me to his State. He not only did that, but he took particular pains to express his friendly views about me and my mission to those of my political party, with whom he was on close intimate personal terms. While I did not learn this from him personally, I had ample evidence of its truth in many instances, and it showed a most unusual kindliness and friendly disposition toward a political opponent.

Few men have had a longer or more varied political service. Senator STONE served six years in the House of Representatives more than 30 years ago, was governor of his State for a term of 4 years, and served in the Senate for 15 years, undoubtedly having a life lease on the latter office. While he had reached an age when men might naturally be expected to retire or, at least, modify their activities, he continued strong and vigorous to the end, and if he had been spared I am confident he would have continued for many years to have been an important figure in senatorial life and in the leadership of his party.

Senator STONE was a consistent party man. He had a sincere belief and faith in the wisdom of the principles and policies of the Democratic Party, and to the day of his death he never tired or relaxed in his efforts to advance his party's cause. While I could very seldom agree with him on matters of political policy, I never questioned the sincerity of his faith in the doctrines he championed and the vigor and sincerity with which he advocated them compelled my respect and admiration. I feel that I am expressing the sentiments of my colleagues when I say that his passing is deeply regretted among his old associates in this body, and in his death the citizens of Missouri have lost a representative whose first thought was of them, their welfare, and who was a most jealous guardian of their interests.

Mr. KING. Mr. President, the eloquent eulogies to which we have just listened leave but little for me to say, but the occasion and my loyalty to the memory of one whom I was proud to call friend bid me speak. We pay tribute to-day to one who was a great American, a tried and proven statesman, a sincere and

uncompromising Democrat, a superb and intrepid leader, a strong, independent, genuine man, who in a long and illustrious career established himself in his State and in the Nation.

During the memorable political campaign of 1896 I first met Senator STONE, though his name and achievements were known to me prior to that time. During the campaign just alluded to his qualities of leadership were conspicuously demonstrated. Thereafter and until his death he was one of the greatest political leaders in his party. Later, and when I had opportunity to become intimately acquainted with this great man, my admiration for his ability, sagacity, chivalry, and all those elements of leadership developed in so preeminent degree in him was increased. When he was called from our midst I felt—paraphrasing the words of Burke—like saying, "The age of political chivalry is done, and the glory of political leadership has departed." But, like all men who strive mightily, with undaunted courage, and who contend for the triumph of the principles in which they sincerely believe, he provoked animosities and encountered fierce opposition. The path of the strong men, of the bold and uncompromising men, always has and always will be beset with difficulties. This is true in every field of human endeavor. It is conspicuously true in the political arena and in all those fields relating to governments and questions affecting the State. Leadership results from contests, from the conflicts which ever will exist among a progressive and virile people.

Senator STONE was deeply versed in the psychology of the people; he knew well the lessons taught in humanity's volume and had no illusions concerning the fierce and continuous struggles awaiting this and all other peoples. He was no visionary, and deduced his line of conduct from the experiences of the past and his rational and comprehensive studies of his day. Some men become leaders because they are opportunists. They seize upon some passing whim or seize the banner carried by a hysterical crowd. Such leadership is false and deadly. It brings humiliation to the erstwhile leader and defeat and disaster to his followers. Senator STONE was profoundly impressed with the view that there is an underlying immutable law which manifests itself in what we call evolution in the inanimate world, and which finds expression in the social progress we behold in the human race.

While he regarded society as dynamic and not static, he believed it to be subject to unseen but nevertheless irrepealable laws. Cause and effect had application in human affairs and in the world's development and activities. Believing thus, he sought to understand the evolutionary processes finding manifestation in the world, and to conform his conduct, and so far as possible the conduct of others, to these unseen yet controlling influences to which all are subject. He sought to ascertain the motives and purposes of individuals, communities, and nations, the conflicting currents which bore humanity, the causes and effects of individual, community, and State action and conduct. These questions he studied, and studied thoroughly. In his active and analytical mind these great forces and questions were weighed and balanced. Such study and effort gave him wisdom and qualified him for safe and brilliant leadership.

His keen and discriminating mind enabled him to divine the dangers to State or party as well as to anticipate the plans and purposes of his adversaries. One of the distinguishing characteristics of Senator STONE was his devotion to his political principles and the political party with which he was identfied during his entire life. This devotion did not result from a desire for place or power, but rather from his supreme love of country, the form of government under which we live and the principles for which the Democratic Party stands. He recognized that political parties were essential under our form of government, but he believed that political parties should exist not for the gratification of the ambitions or desires of any person but for the preservation of the Republic and the liberties of the people. Believing that the mission of the Democratic Party was to preserve the Constitution of the United States and maintain the sovereignty of the States and the rights reserved by them as well as by the people, he earnestly devoted himself to that party. Merely to be successful was not what he sought; he sincerely and earnestly desired his country's welfare. Autocracy or imperialism in any form was obnoxious to him. His political philosophy found expression in the undying teachings of Jefferson.

Senator STONE always trusted the people. He was vigilant to oppose power and any movement which sought to deprive the people of the States of the rights, liberties, and prerogatives which, under our dual form of Government, they have reserved to themselves. In his view, this great party was charged with the sacred and holy task of defending the Constitution of the United States and the individual liberty of the American people. He was profoundly impressed with the view that eternal vigilance is the price of liberty, and that there is no promise of immortality even to a Republic which recognizes that all just powers are derived from the consent of the governed. Accordingly he viewed with apprehension any movement looking toward a deprivation of the States of reserved rights, and the assumption of power and authority by the Federal Government not delegated to it.

By many he was regarded as a strong partizan. Strong men become strong partizans. Principles which they believe in become a part of the fiber of their being; they are ready to fight for them; they gladly die for them. But, I repeat, his devotion to party was superinduced by his love of country. If I were asked to name the chief characteristic of WILLIAM J. STONE, I think I should unhesitatingly say it was love of his country. He believed in this Republic, in its destiny; he regarded it as a rich benefaction from an overruling Providence, a patrimony not to be squandered but to be sacredly protected; a light which in the darkness of the world was to shine to illuminate the pathway of the oppressed and downtrodden throughout all the world. I think he exemplified in his loyalty to country the words of a great writer, who said:

> Holy is my hearth;
> Holy will be to Thee my house.

His country was his hearthstone; it was his sacred house which was not to be defiled or destroyed. To him it was always holy; he desired that to all others it should be holy. When I think of Senator STONE, I remember the words of another, who said:

> I do love my country's good with a respect more tender,
> More holy and profound than my own life.

As stated, he believed in party organization, not for party victory or party achievement or success but to defeat what he regarded as un-American principles and to preserve the Nation. He knew that in a pure democracy or in a representative government—and, indeed, in all political structures—there are contending forces, those seeking liberty, freedom, progress; others fighting for stagnant or retrogressive conditions. He realized that any party too long in power, free from opposition or criticism, will become stagnant, and finally reactionary and oppressive. Therefore he welcomed a strong and vigorous opposition party, and believed that under our form of government the principles of liberty could be best preserved through the instrumentality of virile, puissant, political parties contending in the public arena for supremacy. However, believing political parties as the instrumentality to bring about good government he regarded it as their sacred duty that they should stand for moral principles and for freedom and righteousness, accepting the view that the Constitution of these United States is a visible manifestation of God's providence to the world. He felt that political parties were corrupt and immoral if they sought mere party advantage or their course tended to the undermining of our Government.

Mr. President, I am profoundly convinced of the fact that this great man did not regard the Republic as a phantom or a passing dream, but he believed that it would endure for the ages. He therefore consecrated his life to the preservation of the Republic and the principles of liberty for which it stands. He had a profound reverence for the fathers and the founders of the Republic and regarded political truths as sacred and immortal. He belonged to the school of political thought which believes that there are certain fundamental principles of truth and righteousness which may constitute the fabric and foundations of governments, the same as there are immortal truths that are the basis of religion and of the spiritual life. He believed with Hamilton that "the sacred rights of man are not to be searched for in old documents and musty records. They are written as with the sunbeam in the whole volume of human nature by the hand of divinity itself and can never be erased by mortal power."

Possessing these views, he sought the faith and teachings of the founders of the Republic and of his party for wisdom to guide him in his tempestuous, heroic, and intrepid career.

Mr. President, another striking characteristic of this great man was his sincerity. Carlyle, who philosophizes and teaches, declares that sincerity is the chief fact about a man. Sincere men, of course, are often wrong; but a sincere one, when right, is the safest of leaders. The Senator from Nebraska [Mr. HITCHCOCK] has just alluded to the strong convictions which Senator STONE possessed and to the fact that when, after serious meditation and study, he had reached a conclusion, he was adamant. He followed his convictions to the end, regardless of consequences, and knowing at times full well that such a course would result in denunciation and the most violent opposition. The truth of this statement is exemplified in his attitude toward the war with Germany. Senator STONE believed that our Nation could avoid war with the central empires with-

but detracting from its honor. Doubtless there were many reasons which combined to lead him to not support the resolution which was the equivalent of a declaration of war against Germany. Perhaps his sympathy for the people—the wives and mothers who would lose husbands and sons—strongly influenced his determination to oppose entering the war. The daily reports of the sanguinary conflicts upon the fields of France and Belgium brought to him inexpressible sorrow. He grieved at the sufferings and sorrows that were overwhelming Europe and other parts of the world. He hoped that this Nation could avoid entering the bloody conflict, and that its position as the leading neutral nation of the world would give it a moral power which could be exercised to pacify and heal the contending nations. He knew the horrors of war, the sorrows and the trials and the broken hearts and destroyed homes which it brings. "Unseen by the corporal eyes, but too clearly visible to the mind's eye, he could see the great army of the dead, the abandoned, the forgotten; the army of cruel tortures and prolonged infirmities, which pursues its fatal march behind what men so often call glory."

But, Mr. President, Senator STONE, as much as any living man, comprehended the aftermath of the war. He realized the stupendous problems which would arise when peace was declared. He could foresee the unrest and disorder, the unloosing of our social, religious, and other bonds, and the madness and chaos of the people. He looked with dread upon what the tide of war would bring to our own land and what its consequences would be with respect to our own institutions and our social structure. With prophetic eye he saw the picture which in part we now behold, and he dreaded the evils which now threaten the world. He felt that if we entered the war it might lead to an abandonment of the policies announced by Washington and Jefferson and Monroe, and the fathers who gave us the Republic. Perhaps some may say he was provincial, but he believed that this was the greatest Government of the world and that it should not be drawn into entangling alliances or into the great maelstrom of European nations. He wanted an American character; a great, powerful American Nation, independent of other nations, not chained or bound or limited by the political structures of other lands and climes. I remember speaking with him shortly before the declaration of war upon the part of this Government. He stated, in effect, that he was afraid of the future and the effects of the great tragedy being enacted in Europe; and then he added, "I want to keep this Republic as it was handed to us by the fathers." I remember that he referred to Washington and his position with respect to entangling alliances, and expressed the belief that if we entered war it would result in a departure from what he regarded to be the sound and safe policy for our country to pursue. He referred to several statements made by Washington, and one of them was a letter written by Washington to Patrick Henry. This morning I found the letter, and from it copied the following extract:

> My ardent desire and my aim has been * * * to comply strictly with all our engagements, foreign and domestic, and to keep the United States free from political connection with every other country, to see them independent of all, and under the influence of none. In a word, I want an American character that the powers of Europe may be convinced that we act for ourselves and not for others. This, in my judgment, is the only way to be respected abroad and happy at home, and not by becoming partisans of Great Britain or France, create dissension, disturb the public tranquillity, and destroy, perhaps forever, the cement which binds the Union.

There can be no question, Mr. President, upon the part of those who knew Senator STONE but that his opposition to war was in part based upon his sincere conviction that war would bring sorrow and suffering to the American people and likewise jeopardize the Republic and endanger the welfare and prosperity of the American people. He was preeminently American. He loved his country and he idealized his State. His affection for the State of Missouri was really pathetic. He spoke the name "Missouri" with a love and an affection found in the voice of a mother for her child.

The Senator from Nebraska [Mr. HITCHCOCK] has just referred to Senator STONE'S position on the war. Many of us differed from Senator STONE in his position taken upon this important question. We believed that the honor of our Nation, the defense of our Government and our people demanded that the United States should accept the condition of war which Germany had created, and that we should cast our fortunes with Great Britain and France and their gallant allies in hurling back the advancing hosts of the central powers, who sought the conquest of Europe, if not the world. But to Senator STONE war seemed a great and unnecessary tragedy. He visualized its horrors and with prophetic eye comprehended the evils which would follow when peace came. But when we had decided for war no one more vigorously supported the Nation, the President, and the cause than did he. Senators will remember the tense and dramatic situation when the resolution recognizing a state of war was under consideration in this body. Standing in the aisle of this Chamber, Senator STONE, with deep feeling and unexampled earnestness, gave expression to his sentiments and voiced his view that if we entered into the war it would be "a colossal blunder." Then, in simple and eloquent terms, he stated his position as follows:

> But if the constituted powers of my Government, the powers constitutionally authorized to speak for the people on this momentous issue, shall decide for war, and we go into war, then I shall cast all doubts and forebodings to the winds, and my eyes thenceforth will be blind to everything but the flag of my country, borne by American boys through the storm of war, and my ears deaf to every call save that of my country in its hour of peril. If Congress unfurls the battle flag, however profound my sorrow, I will at once stand in salute to that flag, dutifully willing and ready to perform any service, to make any sacrifice necessary to bring the cause we espouse to a successful issue.

When the Nation spoke he saluted the flag and followed it and the brave and gallant American soldiers with a solicitude and devotion unsurpassed by anyone.

He cared but little for nonessentials, but was firm and unyielding when principles which he regarded as fundamental were involved. Criticism from enemies did not affect him, but the criticism of friends grieved him to the heart; but neither criticism nor opposition from friend or from foe swerved him from the path which he conceived to be the path of duty. In thinking of him I am reminded of the words of Channing, when he said:

> I call that mind free which protects itself against the usurpations of society, which does not cower to human opinion, which feels itself accountable to a higher tribunal than man's, which respects a higher law than fashion, which respects itself too much to be the slave or tool of the many or the few.

While not in agreement with him upon all views which he expressed or positions by him taken, I nevertheless respected his intellectual honesty, his mental integrity, and the motives and purposes by which he was guided.

Senator STONE was solicitous for the welfare of the people. He desired this Republic to lead the world, and the American people, by reason of their ideals, their achievements, their devotion to the cause of freedom, to be the evangels of a strong and enduring political faith. I recall his interest in all efforts to unify the polyglot population within the United States. Frequently he talked with me concerning the separatist movements which had prevented the amalgamation and absorption of the aliens who had come to this land. He was anxious for the adoption of some plan that would Americanize the alien in our midst and enable him to comprehend our form of government and the institutions under which we live. Deeply sympathetic with the masses who had sought industrial and political freedom under this flag, he regarded it as the duty of the States and the Nation to afford them full opportunity to enjoy the bounties of this land of opportunity, not only material bounties, but those finer spiritual and ethical ones which have blossomed, even if they have not come to fruition, under our institutions.

I repeat, Mr. President, his thoughts were always for the people, for their welfare, for their prosperity, for his State and its progress and development, and for this Republic and its perpetuity. But his political views recognized that the prosperity of a nation depends upon the development of individual character and an adherence to those virtues which are the product of rational conception of the relations of the individual to the State. I think it can be stated of Senator STONE that his conceptions of what was essential to a vigorous and prosperous Commonwealth were in harmony with the words of Lecky when he declares that a nation is prosperous when and as long as—

> its foundation is laid in pure domestic life, in commercial integrity, in a high standard of moral worth and of public spirit, in simple habits, in courage, uprightness, and a certain soundness and moderation of judgment which springs quite as much from character as from intellect. If you would form a wise judgment of the future of a nation, observe carefully whether these qualities are increasing or decaying. Observe especially what qualities count for most in public life. Is character becoming of greater or less importance? Are the men who obtain the highest posts in the Nation men of whom in private life and irrespective of party competent judges speak with genuine respect? Are they of sincere convictions, consistent lives, indisputable integrity? * * * It is by observing this moral current that you can best cast the horoscope of a nation.

Mr. President, with other Senators I went to the State which our departed friend represented in this Chamber. I attended the simple but inspiring funeral services, where loving friends from far and near gathered to pay their final tribute of love and affection to one whom they had followed for so many years. A deep and profound religious fervor rested upon all, and the services portrayed the faith, that simple yet mystic and undying faith, which Senator STONE had in the life beyond and in the merciful eternal Father who guides men and nations.

Perhaps he would have experienced some difficulty in his lifetime in defining his creed. He was not dogmatic, nor, indeed, could it be said of him that he was orthodox, and yet if we accept Kant's definition of religion it may truthfully be said that he was a religious man and exemplified his faith in his life. The philosopher says—

That religion consists in recognizing all our duties as divine commands.

Perhaps his religious creed might be summed up in these words:

Religion is a belief in an everlasting God; that is, a divine mind and will, ruling the universe and holding moral relations with mankind.

Religion was not with him a metaphysical abstraction nor, indeed, a scientific formula. He did not concern himself as to whether it was susceptible of scientific administration, but it was to him nevertheless something which was real and indispensable to man's welfare and social progress. It may sound paradoxical, yet I think it is true that even men of the greatest intellect and who demand the application of the strictest rules of logic and who accept many of the teachings of science, deny the application of such principles when they come to deal with the spiritual forces and the religious faith which form so important a part in the life of men and which so powerfully determine the character and nature of human conduct. And thus it is that men have felt that "no form of belief is capable of functioning as a religion in the evolution of society which does not provide an ultrarational sanction for social conduct in the individual."

By some it is regarded as a phenomenon that with the remarkable utilitarian developments of the age and the marvelous results derived from applied science there should be profound faith in an Omnipotent and Omniscient Being to whom man is accountable and from whom it is contended springs spiritual and moral forces for man's advancement. And the astonishment becomes greater upon the part of the extreme materialist when he witnesses the great number who accept the evolutionary principles preached with such fervor and enthusiasm by Darwin, Haackle, and Wallace, who gave the contributions of their mighty genius to the world. But no hypothesis or alleged demonstrable scientific truth, no rationalistic creed or comprehended or incomprehended system of philosophy has driven from the human heart the longings for immortality, the faith in the power and the mercy and the goodness and the justice of an Everlasting and Eternal Father. This faith or belief, whatever it may be denominated, is not so much concerned as to whether it is logical or rational or conformable to scientific formulæ. Even if conceded to be ultrarational and incapable of being defended by acknowledged canons governing the intellectual and scientific mind, it insists, however, that the great motive power which has propelled humanity forward has been the ineradicable faith in an Eternal and Merciful Father, which, in all ages, has glorified the human soul.

He believed in God, the Eternal Father; he believed in Christ, the Saviour of mankind. His faith was perhaps not the result of intellectual effort or the analytical processes of his mind. I do not think he attempted to defend it upon the ground that it had a rational sanction, but, nevertheless, it was a living, vital thing, commanding obedience to the laws of righteousness, devotion to the everlasting Father, and sacrifice and service—the true expression of the Christian life. I think he would have said of himself, as was written by another:

What am I? Naught!
Nothing! yet the effluence of Thy light divine,
Pervading worlds, hath reached my bosom, too;
Yes, in my spirit doth Thy spirit shine,
As shines the sunbeam in a drop of dew;
Naught! but I live, and on hope's pinions fly
Eager toward Thy presence, for in Thee
I live, and breathe, and dwell, aspiring high,
Even to the throne of Thy divinity.

Mr. President, we regret the loss of our departed friend; the Nation needed him, his State needed him, his party needed and still needs him. In this hour with the stupendous problems confronting not only this Nation but the world; problems made and forced upon us by the devastating war through which the world has just passed, his services would have been of inestimable value, and his loss becomes more apparent. God bless his memory. May we profit by the illustrious example which he has left for our guidance.

Mr. FLETCHER. Mr. President, within the borders of Kentucky there have been born into the world many individuals who have lived exemplary and useful lives; many who have served their fellow men in marked degree and their country heroically, as a whole; many who have met the responsibilities of citizenship and have discharged faithfully the duties of public office; many who have traveled the road to fame and at its end passed to the other life respected, loved, and honored. Among these distinguished sons, whose labors and services were performed in large part beyond the boundaries of their native State, Kentucky can proudly claim WILLIAM JOEL STONE, who was born in Madison County, May 7, 1848. He was educated at Missouri University, which later conferred upon him the degree of LL. D.

When he was 21 years of age he was admitted to the bar and four years thereafter he was elected prosecuting attorney for Vernon County, Mo.

His mental capacity and physical energy pushed him into wider fields. He had a taste for politics and became a student of public affairs. His rare tact, genial dispositon, clear vision, sound judgment, and patriotic impulses made him a genius in the sphere of political activities.

He was elected to the Forty-ninth, Fiftieth, and Fifty-first Congresses. In 1893 he became governor of Missouri and gave the State four years of signal service as its executive.

As a member of the Democratic National Committee, 1896-1904, and as its vice chairman in 1900–1904, his wise counsel, untiring zeal, and devotion to the cause were felt and appreciated. He displayed throughout his career extraordinary ability as an organizer and his skill and tact were equally effective in management. He was elected to the United States Senate to succeed Hon. George Graham Vest for the term beginning March 4, 1903, reelected in 1909, and by popular vote in 1914 for the term beginning March 4, 1915. On April 14, 1918, he departed this life.

He had a trained mind of unusual capacity and strength. He possessed a gentle disposition, which drew men to him in bonds of attachment, lasting and strong.

He was patient, and at the same time aggressive and courageous in dealing with great questions and in debate.

He possessed in eminent degree the elements of leadership. His public service extended along two lines—executive and legislative. He was equally well equipped and efficient in both. The qualities of mind and heart manifested in these functions, reinforced by broad reading and study and thought, found expression in the field of statesmanship.

On the great committees of the Senate he was vigilant and untiring. In debate, on this floor, he was equal to any undertaking, and with a grace and an eloquence and power unsurpassed, he handled his subjects in the fashion of a master.

Particularly on Finance and Foreign Relations, the chairmanship of which latter committee he graced, his services were most effective. His manner and characteristics were original and peculiar to himself. An attractive personality, a wholesome sense of humor, and dignity of bearing, combined with expressive eyes and features that beamed with intelligence, assured him a warm greeting in any assembly, whether it meant social intercourse or a relentless encounter with opposing forces in some momentous struggle. He exemplified Edwin Markham's "Preparedness:"

For all of your days prepare
And meet them all alike;
When you are the anvil, bear—
When you are the hammer, strike.

Felicity of expression, wealth of information, charm of delivery, and fine presence made us recognize in him the magnetic, skillful orator.

He seemed to treasure no animosities. He was generous in his consideration of others, patient and forbearing toward those who opposed him, gentle and kind toward his associates, and unstinted in his love of those who had claims upon his affections.

Times came when he had to decide upon a definite course and the road ahead was not plain and clear. So far as I know, he seldom advised with others or consulted his closest friends, but he stepped aside with his own conscience and judgment and adopted the course they dictated.

I may illustrate this best by quoting his own words. In the course of debate, February 3, 1915, on the shipping bill, which he strongly supported, he said:

I have found out that whenever a man is opposed to a measure he becomes very sure that the people are against it; or, if he is for it, he is bold to assert that the people are for it; but I do not think that men who assume so much know anything more about the wishes of the people than I do.

The only way I have of knowing what the people want is to make up my mind as to what is best for the country, feeling confident the people will approve if I am not mistaken.

He ardently hoped his country would not become involved in the catastrophe which shook the world in 1914. He saw clearly what war meant—the loss of young men, a kind of loss which any nation can ill afford to suffer at any time; the destruction of property; the burdens of taxation upon the people loomed with all their terrors before him. He hoped there might be

some honorable way of avoiding the calamities and suffering which war involved, even when it was plain that the war lord and military clique of Germany had deliberately proceeded to "Pour the sweet milk of concord into hell; uproar the universal peace, and confound all unity on earth."

But when the decision was reached that there was no escape for his country, and its duty was to rally its defenders of liberty and champions of civilization, and there was no choice but to meet force with force to the limit, he patriotically joined in the effort and supported with his great ability and unflagging energy and wise counsel every measure and step intended to make victory certain.

He stated his position with his usual frankness and sincerity on July 14, 1917, during the debate on the flood-control bill, H. R. 4961, as follows:

> You know, Mr. President, as every Senator and the country knows, I was absolutely opposed to plunging this country into this foreign, far-away European war. * * * I warned you and the country then that if we insisted upon this course we would open a Pandora's box, the multiplying evils of which no man was wise enough to forecast. * * * But from the beginning I have stated over and over again that while I looked with horror upon the proposal to involve this country in this foreign war, I would nevertheless loyally accept the joint judgment of the Congress and the President if they should, acting together, declare for war; and from that day forth I have stood steadfastly in support of the dominating forces of the Government which declared that war was necessary. That is the position I took at the start, and I shall abide by it. * * * I shall support the President and the Government in organizing our national resources and in using them to the utmost of our strength.

It was a sad day last April when we realized that he would be with us here no more. A personal affliction had fallen upon each of us; a real deprivation of the help we needed; a misfortune to the country he loved.

Until our friends go, never to return, we fail to realize how dear they are to us. We are left, however, with the consolation that memory keeps them ever with us, and in the quiet hours we can almost feel "the touch of the vanished hand" and hear "the sound of the voice that is still."

I believe I would not misjudge him if I made the estimate I venture to condense. He conceived true liberty to mean the privilege of doing "unmolested what the law allows."

And that real democracy means "organized self-control."

And that his conviction was that "out of the heart are the issues of life."

A deep and abiding love of country and a steadfast Americanism were the very lifeblood of his strong character.

Hear him from his conspicuous place on this floor, February 8, 1915:

> I am for America—our America—above all the world. The kind of men we need now and always need are men who stand uncompromisingly for America and American rights. * * * I care little for the opinions of American citizens who are not first and always really, truly, bravely American.

In the public service for nearly 50 years to his country and his country's cause he gave himself—justifying the application of Paul's tribute to the Macedonian church: "They first gave themselves."

The words of Addison's Cato can well be applied to our friend:

> 'Tis not in mortals to command success;
> But we'll do more, Sempronious—we'll deserve it.

And by his character and life he established such a relation between the soul and the Soul Maker he was prepared when the summons came to pass into the undiscovered future without dread.

Mr. MYERS. Mr. President, it was my good fortune the greater part of my life to know Hon. WILLIAM JOEL STONE, and during all of my life, from childhood, I heard and knew very much of him and about him. It was my good fortune to be born and to grow to manhood in the State to which Senator STONE rendered unusual service and brought signal distinction, the State of Missouri. We had very close mutual ties. There were those who were related to me who were among his life-long supporters, ardent admirers, and close associates, and who were ever very loyal to him and who actively and earnestly supported him in every political contest in which he ever engaged which involved more territory than the county of his residence; effectively supported him in every political contest after he had ably filled the office of prosecuting attorney of his county and had branched out into a larger field of political activity. For years the name of Senator STONE was a household word in my father's family. As boy and young man in Missouri, I often heard him on the stump and delighted to hear him expound democracy. His fearlessness and earnestness charmed me.

I remember when, as a young man, he was first nominated for and elected to Congress, I being then a boy. When he was first nominated for Representative in Congress I heard it said that he had a brilliant future, and that he would make his mark as one of the ablest public men Missouri had ever possessed. He was then in the prime of vigorous young manhood and had already attracted to himself and drawn in his train an ardent and enthusiastic band of loyal, devoted personal and political followers who never abandoned him but who stayed with him, faithful and true through every political contest of his life. When first nominated for Representative in Congress he had acquired a reputation as an orator, student, and statesman which bespoke for him a brilliant career. He was then the pride of those who followed his plume in the arena of political combat.

When Senator STONE was a candidate for the Democratic nomination for Governor of Missouri, I was a voter and resident of that State, and I supported him for the nomination and at the election. I voted for him in the primary and at the general election. He was my choice. By that time I knew him personally and was an ardent admirer of him, as man and statesman; admired his ability, fearlessness, democracy, devotion to principle and leadership; and admired him for all those qualities which made him a renowned leader of men and valued champion of democracy.

In those days and for many years Senator STONE was the idol of Missouri Democrats. He had their admiration, love, and adoration. They trusted in him and looked up to him. They looked to him for leadership. The mantle of the renowned and departed Hon. George G. Vest, as leader of the Democrats of Missouri, fell upon Senator STONE. He was almost worshiped by his followers.

Senator STONE had the remarkable faculty of drawing to him great numbers of enthusiastic, devoted followers and of grappling to him with hooks of steel a great many very devoted and unswerving personal and political friends. He was a man of magnetic personality. As a rule, his friends stayed with him. In that respect he was signally marked as a leader of men.

When I entered the United States Senate, Senator STONE had been a distinguished Member of this body for quite a number of years and had a national reputation. I was received by him with the greatest kindness. He welcomed my entrance into the Senate with marked warmth and cordiality, and when I was new here he showed me many acts of kindness and consideration. He did very much to make it pleasant and agreeable for me here. Our personal relations were always of the most cordial and agreeable character. During my service here, until the demise of Senator STONE, I was fortunate in seeing a good deal of him and enjoyed personal association with him to a considerable degree. I often consulted him. Our relations were fairly intimate, and I enjoyed my association with him. At times I very sharply differed from him about matters of public policy and national welfare, but that never disturbed our uniformly pleasant relations nor my friendly regard for him.

I always admired Senator STONE'S intense devotion to his political party and its principles. Politically he was an intense partisan, and I always admired him for it. He was a Democrat because he believed with great intensity and fervor in the principles of the Democratic Party, and he adhered to them, championed them, and supported them on all occasions with an earnestness, enthusiasm, and devotion which drew my strongest admiration. He believed implicitly in the virtue of his party and never hesitated to array himself on its side as a devoted partisan. His intense fidelity to party principle was, to my mind, most admirable. He was more partisan, I admit, than I, but I esteemed him for it.

Senator STONE was a hard fighter. He never slackened or wavered in fighting for what he believed to be right. He was an incessant fighter for the principles of his party, believing them to be the true principles of government for a self-governing people. Believing the success of his party meant the good and welfare of all the people, he fought for the success of his party in season and out of season. There was never any doubt about where to place him in party matters. This I considered a most commendable trait, for he stood for that which he firmly believed to be right and best.

Senator STONE was one of the bravest men whom I ever knew; brave mentally, morally, and physically. Absolutely, he did not seem to know what fear was in any sense of the word. He would defy anything or anybody if he thought he was in the right. His fearlessness was one of his distinguishing traits all of his life, and it had much to do with drawing to him that devoted band of followers and supporters, always back of him and standing with him, ever faithful and loyal.

Senator STONE rendered distinguished service to his State and Nation. He was one of Missouri's foremost characters, one of the Nation's great men. He accomplished much and leaves much good work behind him. To his family he leaves a splendid heritage, to his host of devoted friends a fond memory, to

his State a career of usefulness, to his country nation-wide fame. He had some great qualities. As statesman, student, scholar, publicist he had real ability and great accomplishments.

Senator STONE was an outspoken man. He never hesitated to speak out what was in him. It was a matter of comfort to many of his friends, of whom I counted myself one, that in his last illness he professed faith in and reliance upon the saving grace of his Redeemer and looked forward to eternal life with his Maker. Farewell to him, but not to his memory. I take this occasion to discharge a sad duty, to exercise an estimable privilege in paying an humble tribute to his worth and testifying to the pleasant relations that always existed between us. May it be well with his soul.

Mr. SMITH of Georgia. Mr. President, all who knew Senator STONE will appreciate the splendid tributes that have been paid here to-day to his worth, because they will realize that the tributes were deserved.

The entire Nation recognized his great ability. The Senate realized his power upon the floor of this Chamber, his brilliancy and his logic.

Those who served with him in committees found him there tireless, painstaking, and wise. For nearly six years I served with him on the Finance Committee, the detailed labors of which are great. No item of revenue bills escaped his scrutiny, and at all times it was his earnest desire to let the tax burdens fall where they could be borne with the least trial; at all times it was his thought to see how the less fortunate in life might have their burdens lightened rather than increased.

I had the privilege for several years of rooming just across the hall from him in the Senate Office Building, and I frequently saw him. If I were asked from my personal association with him to name his two most controlling characteristics I would say, in addition to his mental power, that they were his courage and his love. I do not believe Senator STONE knew what fear was; he was unconscious of physical fear, and he had no fear of consequences to himself as a result of his conduct. He was moved always with the earnest purpose of determining what he ought to do, controlled by his judgment, led by his love. If ever swayed from his mental judgment it was by his love.

He loved Missouri and he loved all the people of Missouri. He loved his country and he loved the people of his country. He loved his immediate family with a tenderness and gentleness that would have adorned the character of a woman. He was checked at times in his mental action by his love and by his unwillingness to cause sorrow or distress to those whom he loved.

Senator STONE was honest to an extreme degree. The Senator from Nebraska [Mr. HITCHCOCK] has referred to the fact that he made sacrifices for his public service. He could have been a man with great income at the bar, but he gave his time to the public service rather than to the accumulation of worldly goods for himself; and in all of his long career in the public service never a time did he think of a place where he might make something financially for himself. The subject of financial gain for himself never touched his life.

Mr. President, I feel excused for mentioning a little incident that touched me very much, which occurred when I was riding out home with him within about 12 months of his death. We lived in the same section of this city, and frequently he rode out with me in my machine or I rode out with him in his. One evening, as we were riding home, with a glow of delight all over his face, he pulled a little piece of paper out of his pocket and said, "This is a receipt for the premium on my life insurance policy." He put it back in his pocket and called the name of his wife, whom he loved so tenderly, and said, "The reason I am so pleased that I have paid it is that it makes me know she will have this sum if I am called away. While I am here I can provide for her, but this gives her something if I am called." The amount was not very large, but it was pathetic to hear this man of powerful intellect, who could have done so much for himself in a financial way and for his family, if he had turned his thoughts and talents in such a direction, filled with joy that this conservative-sized policy was to guarantee to the partner of his trials and his joys some little comfort when he was gone.

I saw Senator STONE a number of times when he was taking the course which was perhaps the greatest trial of his life. I had known for 12 months before that period how earnestly he desired that his country might escape from embroilment in the European slaughterhouse. When the time came that most of us felt we could remain out of the war no longer, when the overwhelming sentiment of the country justified the action that brought us into the war with the German Empire, I talked freely with Senator STONE and urged him to vote with us. I pressed it on him; I tried to show him that it was his duty to himself and to his associates. I know perfectly what controlled him. He talked with freedom about it. Up to the last I plead with him. He simply said, "I see what it means—billions of debts burdened upon the people whom I love; and, worse than that, perhaps millions of our boys lost in France. We can not go into this war without really going into it." He continued, "If I could give my life and have the sacrifice end there, I would not hesitate a moment; but it is all these sons of mothers throughout the land. I can not but feel that something can be done to save these mothers' sons."

It was his love for his people. If he could have laid down his own life he would have done so without a moment's hesitation, but it was the lives of others and the sorrow that was to be produced that caused him to take the position which he did. But the moment the decision was made and the war was begun, on every possible occasion he stood in his place in the Senate and supported his country in every possible way. Others cast the die; it had to be; then all that he could do to help to whip the enemy and win the war he gave with entire freedom and thoroughness. That he should have been criticized was natural; that he would be criticized he knew; none understood it better than he; but it never moved him a particle. That vote was controlled by his intense love for his people, whom he would have spared, if he could, the trials of war.

He was a great man; a great intellect; but, again I say, the two controling powers of his life were his courage and his love.

Mr. BANKHEAD. Mr. President, when I came to Washington as a Member of the Fiftieth Congress, one of my first acquaintances was WILLIAM JOEL STONE, who had served in the Forty-ninth Congress. This acquaintanceship ripened quickly into a friendship of such enduring qualities as to weather and overcome the vicissitudes of a long life.

When Mr. STONE resigned his seat in the House of Representatives to accept the governorship of the great State of Missouri I was enabled, through a continuous correspondence, to keep in the most intimate touch with him. When, as the successor of the great George Vest, Gov. STONE returned to Washington and took his place in the Senate our daily personal relationship, after an interregnum of only a few years, was resumed. Later, as successor to John Tyler Morgan, whom all Alabamians are wont to call "our greatest," and who with dignity and rare wisdom for so many years graced this Chamber, I entered upon a service in the Senate. From that moment until death placed its icy fingers on his heart I was in closest, most intimate association with the man of whom to-day we speak.

As a result of this long and unvarying friendship I can qualify as a witness who knew him well; and as such it is not so much my function to recite the biographical and chronological events and incidents of what was truly a great career as to bespeak very briefly and very generally the real merits of a mind and soul which so incontrovertibly affected the destiny of our country.

It is my conclusion, expressed not with the temperamental consideration with which one regards the dead, but in solemn, stern sincerity, that STONE was one of those mortals in whom the elements so mixed as to produce a great man. His gift for adroit leadership came of a keen and discriminating intellect, radiating in his speech and action the resiliency of a remarkable mind, and of a deep-seated, ever-abiding vision which gave him uncanny prescience of how the operations of to-day would affect the destiny of to-morrow. And thus it has happened that less ably equipped men have declared in one instant that STONE by a speech or a subtle move on the political checkerboard had wrecked the entire fabric of things; in the next, with the full light of successful issue glowing, they have acclaimed him a strategist of the most excellent talent.

As a rival manager of a presidential aspirant in the Baltimore convention of 1912 I was constantly aware of the subtle genius of Senator STONE—a genius which but for unexpected and unparalleled defection in his own ranks would have carved out a notable victory. But when one weighs the relative merits of mind and heart, that genius can not be compared to that fidelity to trust, that allegiance to duty, which prompted him to submerge and subdue his own great disappointment and assume the post of confidential leadership in the victor's administration. For four years, with unvarying faith, he piloted the President's legislation through this body, and at the end of that time he was found preparing a platform of such appealing parts that the people of the Nation, won by the spirit of humanity it breathed, were happily induced to give the President a second term.

Senator STONE, being a man of purpose, was necessarily a man of opinion. As such at certain intervals he found it necessary to think and act for himself. Nothing so aptly indicates the

sincerity of a man as when, driven by honest purpose, he leaves the primrose path of least resistance and, bereft of former friends, trudges the rocky road of conviction. And yet such is perverse nature that it is against this very type of man that the world, forgetful of past service and the certainty of honest differences, turns and inveighs with scorn and contumely.

Senator STONE in the very twilight of his long service shared this common fate. When he declined to lead the fight for the so-called "armed neutrality" bill he was made the target for the darts of learned critics bursting with the force of their own erudition—innumerable darts tipped with the venom of ridicule, abuse, and slander. And yet, while the storm raged, we who knew STONE and who differed with him knew also that according to his conviction he was right, and that, irrespective of the fate prepared, he could have pursued no other course with honor to himself.

For my part, I know that he had reached his conclusion after long contemplation; that he took the unpopular side when on the other great prestige might easily have been gained only because of honest and sincere conviction that the unpopular side was in that emergency the side of right and justice. And, Mr. President, permit me in this day, when the passion of that day has subsided, solemnly to express the opinion that much of that bitter criticism directed at Senator STONE was unjust, unkind, and even cruel. And from knowledge of the man I bring testimony that that serenity of countenance—misinterpreted as indifference—which distinguished him in that trying moment was nothing more or less than a manifestation of a resignation which perfectly concealed an inward and permanent hurt.

He was as some grim stone of the sea on whose surface a raging tempest made impress, but whose base it could not cause to tremble or its parts to disintegrate.

Mr. President, I am very grateful to a Providence which has made it possible for me thus to speak of my friend, who has gone into that peace which surpasses understanding.

Mr. THOMAS. Mr. President, for five and twenty years my relations with WILLIAM JOEL STONE were close and cordial. We were intimate and affectionate friends. He was governor of the great State of Missouri when I first met him. Grover Cleveland had just entered upon his second presidential term. Economic and financial conditions were sinister, and the atmosphere was heavy with portents of an approaching financial earthquake. And the President's well-known disapproval of his party's sentiments, emphasized by his aloofness from the influence and cooperation of its leaders and statesmen, justified their apprehension of an impending political cataclysm.

The crisis came in June with the closure of the Indian mints to the coinage of the silver rupee. Within a very few days thereafter Gov. STONE delivered a masterly address upon the situation. It clearly analyzed the causes and foretold the consequences of the panic should these causes be ignored or misunderstood, and the remedies they plainly outlined be rejected. His message to the people was that of a clear-visioned, far-seeing statesman. They hailed it as the voice of a skilled navigator to the pilot, counseling a course that would rob the storm of its perils and lay the Nation to its ancient ways. But the hopes of the people were turned to ashes of disappointment, and the voice of STONE became as that of one crying in the wilderness. The storm descended; the commander pursued his stubborn, unyielding course, and overwhelmed his country in measureless disaster.

I met Gov. STONE very shortly after this incident, and hastened to express my gratitude for what I conceived to be an incalculable service to the public. He was then seriously concerned for the immediate future, a concern that was for the country. I early discovered what many of his countrymen questioned in after years, that Gov. STONE was a patriot in the highest and best sense of that much-abused and frequently misunderstood term. He was a radical and uncompromising partisan, but his country, her welfare, her interests, as he understood them, was the influence which above all others commanded his affection and inspired his conduct. His view of service, of her policy, her interest, and her duty might subject him to reproach and obloquy, but they were the fruit of his anxious and deliberate reflective judgment. They might be wrong, but they were his, and he maintained them with all the vigor of courageous conviction. Abuse and misunderstanding might subject him to the denunciation of popular clamor and the rebuke of statesmen, cajolery and persuasion might join with threat and vituperation to force his reluctant hand, but he would bear them all with serene fortitude and with the confidence of certain, though tardy, approval. Failing that, he could go his way unto the end, though he might travel barefooted and alone.

I shall not review the long record of Senator STONE's public service. Others have done that and done it well. It was a full and an honorable one—not perfect, for that is never humanly possible. He made mistakes, and they were broad ones, in keeping with his nature and breadth of vision. They were not the result of impulse, but of earnest and continued reflection.

His view of America's attitude toward the great war was in the first half of its bloody course unquestionably that of the overwhelming majority of his countrymen, who shrank from the ordeal of a world conflict with all the intensity of an enlightened peace-loving people. Nothing save Germany's insensate disregard for neutrals and neutral rights, exemplified many times in acts of appalling horror and unmindful of repeated warnings, could have involved us.

The crisis finally came with her resumption of indiscriminate submarine warfare, followed by the President's request for authority to arm our merchant ships for defense against this deadly form of national piracy. Senator STONE was opposed to granting the desired authority. He felt that the allies had transgressed our rights as a neutral power quite as frequently and as flagrantly as had Germany, and that the proposed measure would precipitate a war which might yet be avoided without dishonor. No request for additional authority to deal with the allied invasions of our sovereignty had been made, and none should be granted in the pending instance. He therefore protested and spoke against the joint resolution clothing the Executive with the desired power. The two situations were, to my mind, fundamentally different. He did not think so, and he gave his reasons at length to the Senate at a time when the Congress was rapidly nearing its close. For this he was unsparingly denounced by a vigorous and vindictive chorus of disapproval, whose echoes had not ceased when he passed away. He was accused of filibustering against the resolution. The fact that he spoke against it for nearly three hours, and that the Congress expired before a vote could be reached, gave strong color to the charge. Yet, knowing Senator STONE so well, I feel justified in saying, as I said many times while he was living, that he had no such purpose. He felt bound to give his reasons for his position, and as he always did on occasions of unusual importance, he prepared himself thoroughly and in writing. He was very deliberate in speech, at times painfully so. Except on rare occasions of great excitement, he never hurried. Such a man always requires time for delivery. And Senator STONE, without a thought of the fleeting moments and the rapid approach of the fateful 4th of March, pursued his usual way. It was unfortunate, since the public condemnation was somewhat justified, and, protests to the contrary, unavailing.

But he made no protest. He bore the consequences and met the storm without flinching. Consistently with his view, he cast his vote in the following April against the declaration of a state of war with Germany. The friends who knew him well deplored the fact, while expecting nothing else from a man who seldom changed his convictions once they were fully formed. While I regretted the Senator's dissenting vote, I could, from my own experiences of the Civil War, understand his point of view.

During that conflict we were both boys living in the South, and face to face with all its seamy sides. We knew what war meant. We had been made rudely and daily familiar with its carnage, its waste, its terror, and its destruction. We could recall the long lists of casualties; the endless processions of the dead; the hordes of armless, legless, blind, and mutilated survivors of the battle fields; the black badge of universal mourning; the agony of widowed hearts and the tears of orphaned children. We could visualize the returning skeletons of want and hunger, the destruction of cities, the laying waste of the country and the pillage of the harvests, the hordes of refugees fleeing from the pathway of advancing armies, the thunder of the guns, and the shouting. I knew that he shrank with horror from the reinfliction of war's curse upon his country, and I would have given my life willingly on that fateful 6th of April, did the sacrifice avail, to spare the Nation the agony of another war. But it had to come. We could neither stay nor avoid it. The progress of the world had garnered its seeds within her bosom. They were to germinate, to ripen, and be harvested, even as others now dimly perceived shall grow and be garnered in the fullness of time.

War having been declared, Senator STONE accepted the cast of the die and gave the Government his constant and unfailing support. He voted supplies and men, contributed of his modest substance to war loans, and devoted all his energies while he lived to its vigorous and successful prosecution. He died when the great German offensive of last spring had reached its farthest advance, when Paris laid almost at the Kaiser's feet, and Haig's indomitable Britons, with their backs to the wall, were slowly

yielding to his terrific onset for the Channel ports. The allied reverses of the month preceding his death wrung his heart and filled his mind with anxious forebodings. Doubtless the strain they imposed upon his weakened energies was a contributing cause to his sudden death.

Senator STONE was one of the most powerful intellects of his generation, one of the strongest men who ever occupied a seat in this body. His slow and deliberate speech was in direct contrast to the rapidity of his mental processes. He saw all sides of every problem, and, with rare powers of analysis, would quickly resolve it into its most prominent elements. He was a competent judge of men. He was a born political strategist, a debater of the highest order, and one of the most eloquent of men. His voice was clear and penetrating, his words well chosen, his diction perfect. But he was at his best only when absorbed by the ardor of conflict. His talent for controversial discussion needed the stimulus of active, if not extreme, opposition. When thoroughly aroused all his faculties were enlisted, and well he knew how and where to direct them. It was no surprise to those who knew him well that as a candidate soliciting the support of his people he never had been beaten.

The convention of 1896 blazed a new pathway for the Democratic Party. Rightly or wrongly, it wrote a declaration of principles whose advocacy meant aggression. It was no longer defensive or apologetic. That it would rend the party asunder was inevitable. That it would be immediately successful was only possible. That it committed the party to a new and radical propaganda, which it must thereafter acknowledge whether it would or not, was beyond question.

Gov. STONE was the chairman of the Missouri delegation to that convention, charged with the duty of securing the nomination of the Hon. Richard P. Bland for the Presidency. He did not accomplish that, for the unexpected happened; but he did more to shape the course and mold the proceedings of that great convention than any other member of it. If Bryan was its apotheosis, STONE was its soul incarnate. His influence was in the very atmosphere of the committees through which its course was directed. Yet there was no assumption of leadership, no assertion of authority, no contentious wrangling for position. Quietly, constantly, persuasively, and effectively he moved past obstacles, overcame difficulties, compromised differences, and suppressed resentments. It was a turbulent assemblage where passion flamed high and opposition countered hard upon every subject involved in its deliberations, where crimination and recrimination thrust and parried from its commencement to its close. Through the maze of its bitter contentions and animosities the hand of Gov. STONE guided the majority safely and steadily to its goal of ultimate accomplishment. As one of his modest aids on that historic occasion, I here pay my tribute to his consummate powers of leadership and organization. A noted public man before, he now became a national figure, and so remained until his death.

Had he devoted himself to his profession Senator STONE would have been a great lawyer. A mind lured by the attractions of material success would have chosen the bar instead of the forum. But he was indifferent to the enticements of fortune. He died a poor man. That was once the signal distinction of a public official. It is still a most honorable one when the official began his career without fortune. He lived well and modestly, content with the companionship of wife and children, whom he loved and who loved him in turn. His domestic life was singularly felicitous. Within the charmed circle of his home, companioned by a wife the gentleness and refinement of whose character shone through her countenance with the soft radiance of a spiritual beauty which time's effacing fingers can never destroy, and blessed with the affection of their children, he found all the joys that a resentful world would have denied him. His heart, his affections, his hopes, and his fears were centered at his hearthstone. He has gone, but the record of what he did and what he was remains. By that he will be judged, and judged correctly, when the excitements of a world conflict shall have subsided and passion no longer warps or obscures the opinions, when men, clear-visioned and deliberate, can with impartial justice review events and careers in the far perspective of receding years.

Mr. GORE. Mr. President, it is not my intention to discuss the life or to detail the public services of our distinguished and lamented colleague. That labor of love has been done by those who knew him longer than it was either my privilege or my pleasure to know him.

I desire to pay a word of tribute to one or two of his most distinguishing virtues and to call attention to one or two of the most distinguishing traits of his character. In what I shall say I do not mean to institute any comparison between physical and moral courage. Each has its value, but they have such different standards of value that no true comparison can be drawn. Physical courage is the more common and may therefore be regarded as the more elemental. Moral courage is the less common, but it can not be regarded as the less admirable virtue.

Physical courage is all but universal in the kingdom of animal life. It is one of the commonest traits that flesh is heir to. We can almost discern traces of physical bravery in the protoplasm, in the stuff that life is made of. We can mark it alike in the cell as well as in the conquering hero. The microscope reveals deeds of desperate daring even among the denizens of the dewdrop. Physical courage is exhibited among the embattled ants. It is exhibited by the tigress of the jungle as she prowls for prey. It is displayed by the timorous bird as she defends her nestlings with her life. It was exhibited by the dragons of the prime as they tore each other in their slime. The lion of the desert may be as indifferent to danger and as insensible to fear as a Richard of the Lion Heart.

Physical bravery springs from instinct rather than reason. Indeed, it comes from elemental instinct. It is the essence out of which comes the first law of nature. To our finite vision it does not seem to be at all times scrupulous as to the character of its cause.

We love to believe that "he is thrice armed who hath his quarrel just," and yet by our standard no quarrel is so unjust that may not find champions and defenders willing to sacrifice their lives. This was ever so. We find the savage of the forest quite as willing to die in battle as the phalanx of Greece or the legions of Rome.

Upon the battle field of Chalons the Europeans and the Asiatics joined issue as to which race should control the destinies of western Europe. The Hun and the European died with equal desperation. Upon the bloody field of Tours, the Christian and the Mohammedan submitted their issue to the wager of battle. There they determined which religion should prevail over the future destinies of western Europe; the followers of the Cross and the followers of the Crescent fought and fell with equal devotion.

In the wilderness of this western world men of English blood laid down their lives to vindicate the self-evident truths of the Declaration of Independence. On the other hand, men of English blood laid down their lives to prevent the establishment of this free, this self-governing, Republic.

I say this to prove that every cause may find its champions. I repeat that the despot has been able to find followers who would sacrifice their lives to perpetuate their own chains.

In vindicating the principles of freedom our fathers laid down their lives in the noblest cause that can challenge the sacrifices of human nature. The principles typified by the Stars and Stripes have never called in vain for champions or defenders. Those principles will never call in vain for champions or defenders so long as valor is esteemed a virtue and so long as heroism is honored among the sons of men. In defense of these principles the undying dead have sought for death as the bridegroom seeks his bride, and yet with equal alacrity have the followers and the minions of tyranny gone to their graves to establish or to perpetuate the reign of the tyrant, the sway of the despot, and the dominion of the autocrat. This is not strange. This is no mystery.

I repeat that physical bravery springs out of elemental instinct. It is one of the conditions of existence. It is the condition of survival. All existing generations of every existing species are the survival of long uncounted centuries of strife and struggle. These are the survivors. They are those who have passed through the crucible of unmitigated strife. In the supreme test the weakling, the coward, the parasite, as a rule, has perished by the wayside. This is the law of the Yukon, that only the strong shall thrive, that surely the weak shall perish, and only the fit survive. This at least was the law of the earlier ages of strife and of combat.

This law may have been in some measure modified by the improving principles of humanity and of civilization, and yet its reminiscences are seen repeated in the history of the race.

Moral courage is one of the rarest, one of the finest, I may say one of the divinest, attributes of God's image upon earth. Physical courage characterizes both "man and bird and beast." In its earlier stages it obeys necessity or responds to desire. It does not always, even in its later stages, distinguish between "the worse and the better cause." Moral courage characterizes rational beings alone, but, unfortunately, even among these it is not universal. It distinguishes between right and wrong and never wittingly prefers the worse to the better cause. Moral courage obeys the still small voice of conscience for conscience' sake. Moral courage obeys the behest of duty for

duty's sake. Moral courage is alike indifferent to the hiss of the rabble and the applause of the multitude.

Physical courage may find reinforcement in the psychology of the crowd, in the psychology of the mob, but moral courage would rather be right than popular. Moral courage will not consent to be wrong in order to purchase a cheap and transient popularity. Moral courage is indifferent alike to the hisses of the mob and to the threats and the frowns of the mighty. Moral courage is indifferent to the temptations and to the blandishments of power. Moral courage never seeks the line of no resistance; moral courage never seeks the line of least resistance. Moral courage goes where the voice of duty commands.

Whatever be your faith, let me cite a crucial and historic instance. Peter denied his Master once, twice, and thrice before the crowing of the cock. He denied his Master rather than submit himself to the jeers of the accusing crowd. He declared that he never knew the Man. On the other hand, his Master accepted without complaint the agonies alike of Gethsemane and of Calvary. History has pronounced judgment upon these exhibitions of moral courage. It must always be the temper and must often be the fate of moral courage to drink the hemlock and to wear the crown of thorns. Indeed, sir, I do not know but that the crown of thorns is the official diadem of moral heroism.

There were many ties which bound me to our late and lamented friend and which bind me to cherish his memory. I use the word "friend" in the highest sense of that most sacred term. He knew both the art and the philosophy of friendship, which was to prove himself a friend. His followers loved him for his undoubted and undeviating fidelity. His antagonists honored him for his undaunted and undeviating chivalry.

I admired his talents, and I honored his public services. He was a practical man; he was a practical statesman. He never lost sight of the elementary needs of men, yet he never forgot the elementary rights of freemen. To preserve and perpetuate those rights he was equal to the supremest sacrifice, even to the transient sacrifice of his fair name among those who for the moment misunderstood.

"Without turning," he always stood for freedom of thought. He always stood for freedom of speech. He always stood for the freedom of the press—a freedom which was used, which was abused, by some to misrepresent if not to slay him.

I honored him for his moral heroism when occasion called for the exhibition of moral courage. Most of all, I honored him because he was among the few men who dare to speak truth to the people in the presence of the king, and dare to speak truth to the king in the presence of the people.

Mr. REED. Mr. President, I request permission, on my own behalf, because of the lateness of the hour, to print as a part of my remarks a brief sketch of the public life of Senator STONE. In particular I am omitting that part of my address because these ceremonies have been prolonged by the great number of Senators who have desired to pay tribute to Senator STONE, and because, especially, the Senate is assembled also to-day to pay its last mark of respect to another distinguished Senator.

Mr. President, not often in the flight of years will the Senate on the same day meet to pay reverence to the memories of two such great men as WILLIAM JOEL STONE, of Missouri, and OLLIE M. JAMES, of Kentucky.

I ask the privilege of printing as a part of the ceremonies in honor of Senator JAMES some remarks I made about him in the Senate during his life. The observations have for certain reasons been thus far withheld from the RECORD. They were, however, the expressions of my estimate of Senator JAMES while he was living; they will serve as my tribute of regard now that he is dead.

The PRESIDING OFFICER (Mr. KING in the chair). In the absence of objection, the request of the Senator from Missouri will be granted. The Chair hears none.

Mr. REED. Mr. President, I can add nothing to what has been said of Senator STONE, so eloquently, so tenderly, and so sincerely said, for I know well that all who have spoken voiced the sentiments of their hearts.

This man was my friend, the dearest friend I ever had. I have tested his mettle. I have looked into his heart. I have seen his soul. He was as tender a husband, as loving a father, as sincere a friend, as chivalric a gentleman, as you will ever meet. He was as wise a man as I ever knew; he was as brave a man as I ever knew; he was as patriotic a man as ever lived and walked this earth.

All his life he gave to his country. He was not an office seeker, selfishly striving to gain the power or emoluments of position. He was a soldier who on the battle field of the world enlisted for life in the service of mankind.

Broadly speaking, there are two kinds of public servants, perhaps I should say of officeholders. There is a class who climb to public position by any ladder that their feet can touch and who, once seated in a place of power, seek only to maintain it for their selfish profit. These men, having gained position, put ear to ground that they may catch each rumble of popular opinion. They study not the safety of the State. They think alone of how they may keep safe the place they hold.

What an easy, lazy, selfish task to sit serenely and to never ask, "What is the right?" "What does my country need?" but "What is best for me, that I, forsooth, may cling to power, gathering the loaves and fishes of the place I have?"

Such men as I am now discussing frequently secure the very acme of public praise. Forever drifting with the stream, their course is without opposition, and they enjoy the tranquillity of uselessness. We find them basking in the sun. They, therefore, never feel the chill of adverse winds. As they are but the echo of the crowd, its generous applause rings constant in their ears. Such a course requires neither courage nor talent. A fair ability to guess what may for the brief hour be popular is all that is required. They do not serve the State, humanity, or God; they serve themselves alone.

But there are others, sir, and happily many, who place the call of duty above all selfish ends. We find them everywhere. The faithful servitor in private life who thinks more of his master's welfare than of the dollars he is paid. Such service is beyond a money price. The faithful officer of the country who makes its interest paramount and to it gives the best energies of his life. Such men are guardians of the portals of the State. There also is the man who, filling a great post of public trust, thinks only of what his duty is, who does not pause to count the cost to his poor self, but, keeping mind and eye fixed on the stars of justice and of truth, steers the straight course of honor. Such a man is statesman, friend of country and humanity, and such alone do serve their country well.

It has been well said here to-day how absolutely Senator STONE devoted his life to public service. Notwithstanding the fact that his conspicuous abilities as a lawyer rendered his career at the bar one certain of the most brilliant achievements, he early abandoned that lucrative profession to serve his country in the Congress. I shall in the sketch of his life later to be presented call attention to his activities in the House of Representatives. I characterize them now by one statement: His every vote as a Member of the House of Representatives may be examined, his every speech may be read, and there is not one vote that was not cast, there is not one speech that was not made, in defense of the plain, common people of this land, in support of our country's rights, in vindication of those great fundamental principles of democracy and of republicanism that have made this country the land of freedom, progress, and happiness.

From his fight to recover for our Government the lands that thieves had stolen by the hundreds of thousands of acres, on through his career in the House, his every act, his every vote, his every thought was upon the side of the people of the United States. No menacing power of wealth, no sinister influence, no consideration of self ever caused him to swerve a hair's breadth from the plain, straight path of duty to his country.

He became governor of the State of Missouri. Here I want to give to my associates a chapter out of his life which will show how long he suffered under unjust charges, under villainous criticism, and the causes for it.

With shame I say that my great State, like many other States of the Union, had in its legislative branch come too much within the influence of a corrupt railroad lobby. It was at that period when railroad officials conceived it to be their duty, or at least their interest, to seek to prevent legislation, however wholesome, by employing devious practices upon legislative bodies. Passes were handed out in great bales to legislators and their families. The railroad lobbyist was looked for by certain classes almost as the pay car by the regular employees of the railroad. It was under such conditions Senator STONE dared to demand that the Missouri Legislature should pass a fellow-servant bill which would abrogate the ancient and brutal common-law rule that an employee could not recover for injuries if they had been inflicted through the carelessness of a fellow servant. The defense that had been made in hundreds of thousands of lawsuits had left many a brave man's widow without a dollar to live upon. It had turned into the street as paupers thousands of orphans whose fathers, in the effort to save the

passengers drawn by their engines, heroically died at their posts of duty.

Seeing their ancient legal fortress impaired, the railroad lobby rallied. The struggle was intense, bitter, and relentless. In the end the lobby was powerful enough to defeat the bill. In a message sternly demanding that the lobby should not be permitted to influence legislative action Senator STONE again demanded the enactment of the bill. So bitter was his castigation of the methods employed that he incurred the personal enmity of the members of the lobby and all of its numerous and powerful allies.

It was because of this service for humanity and the State that he became the victim of their slander and their abuse, which ran to such supreme heights and was carried on with such illimitable vindictiveness that many men were led to believe the foul slanders that were coined in the hearts of the criminals against whom our revered friend had sought to protect the State he loved and served.

Most of the actors in that drama are dead and gone. I shall not further dwell upon the theme. In Missouri, where the real truth is known, the people understand that there is not a blot or stain upon the honorable and pure career of WILLIAM JOEL STONE. From his labors at last came the statute that gave relief against the hardships of the old common-law rule. By his sturdy blows the lobby and the corrupt elements that had infested our capitol were given their first great defeat, a defeat which ultimately resulted in their extermination. When Gov. STONE engaged in that conflict he knew the cost; but then, as at all other times, he stood square fronted to the storm and did not for a moment flinch.

When he left the office of governor this man with these superb talents, who could have sold his time at any price, was in debt thousands of dollars, without, I believe, a hundred dollars' worth of property of any kind.

He engaged for two or three years in the practice of law, and in that short period was able to pay off all the debts he owed and lay by what might almost have been a competence to some men. When he again entered the public service his little fortune melted away like snow before the sun. He served until the end of his life in this body and died so poor that substantially all he left to the family he loved was a little life insurance policy.

Briefly let me refer to his labors as a Senator.

Men of the Senate, you have seen him toil unremittingly by day. You know how he labored in committees far into the night. When, some three years ago, the great finance bill was pressing, he undoubtedly broke his health by the tremendous labor he underwent. At that time he survived a sick spell that threatened to bring the end. He never was strong again; and yet he came to this body when he was so feeble that he could scarcely walk. He sat with his committees. He toiled and wrought unceasingly. Not a detail of duty was allowed to escape his vigilance and industry. And so, worn out and troubled, this old soldier serving a life enlistment in the army of patriotism came to answer the question that has been so often referred to to-day, "Is it my duty to vote to plunge my country into the great European war or is it my duty to seek to hold her back"?

I know his heart on that. I talked with him. I said to him:

It is the decree of fate; war will be declared. A vote against it will mean your political ruin. You are old and you have no property.

I wish—great God of justice, how I wish!—all the people of his State could have looked into his eyes as I was looking then and could have seen his soul as I saw it revealed and could have heard his voice, tremulous with emotion, as he answered:

I know what it means to me. I know this war is coming. I know the people are aflame with the spirit of battle. I know that it is inevitable; but would you have me consider my personal welfare in a case that involves the lives of millions of men, the heartaches of countless mothers, the breaking up of homes? I can not vote to send our boys into this conflict, to involve our country in this struggle, the end of which we can not see, and the results of which to our country and our civilization we can not prophesy. I can not so vote until further efforts have been made to avert the fearful sacrifices.

And so he cast his vote against the declaration of war.

Was it not a brave thing to do? Had he voted for war, he would not have been voting to send himself to war or into any danger. He would have been acclaimed a great leader. When he voted against war, he voted his own crucifixion for months, perhaps forever. Had he voted for war, he would not have voted to send his own son, for he was a distinguished Federal judge, beyond the age to be sent to war.

He would not have voted to send a single close personal relative, so far as I know. He was not thinking of himself. He was thinking of the sons of other fathers, the grown-up "babies" of other mothers, the husbands of wives, the fathers of children who would die on distant battle fields. He was looking at the orphans that were to be, the army of cripples that would soon march across our land. He was thinking of our country and the dangers that lurked after the war as well as in the war.

So he endured the torture of attack, the obliquy of slander, the shafts of abuse, and stood up bravely and without shrinking. But as the war went on each day he gave his thought, his heart, his energy to the success of the American Army. I say here what has already been, in substance, said: It was the grim advance of Germany's hosts that did much to break him down and to hasten the inevitable end. Day after day I was in his office, calling generally in the morning and finding him there almost invariably pacing the floor, in his hand a newspaper describing how the French were being driven back and back and how the gallant English were being forced to retreat, telling of assaults with poison gas and deadly shells that broke the heroic ranks of our allies and carpeted the ground with thousands of their gallant dead.

I saw him then and know how his soul agonized. I know how his body quivered with excitement and sympathy for our friends and for our cause. It was not hard then to discover that the old patriot and lover of his country could not longer withstand the agony. At last the strain became too great, the vital cord snapped. In the fullness of his intellectual power, at the zenith of his greatness, he halted. His work for country and for humanity had ceased.

There is no speech or tongue that can quite do justice to a life like his. Faithful to friends and true to every trust, through life's long battle he fronted every foe. His arm was never lowered in the strife. He never struck an unkind or ungenerous blow. He folded the mantle of honor about him and laid down upon life's battle field and sank into that peaceful slumber death brings the brave. There is no stain or taint upon his life, and at its end his friends and all the world can write, "Well done, thou good and faithful servant."

I present a brief sketch of the public service of Senator WILLIAM JOEL STONE:

CONGRESS.

Senator STONE was a member of the Forty-ninth, Fiftieth, and Fifty-first Congresses, his term beginning March 4, 1885, and closing March 4, 1891.

COMMITTEES.

During his term in the House he was a member of the Public Lands Committee, of the Selective Committee on Reform in the Civil Service, and a selective committee appointed to investigate the labor troubles in Pennsylvania in 1888.

PRINCIPAL MEASURES.

His work in Congress was principally identified with (1) public lands; (2) reformation of the civil service; (3) amendments to the Judicial Code, having in mind the restriction of jurisdiction of the then United States circuit court; (4) opposition to fraudulent pensions; (5) river and harbor improvement; (6) repeal of silver-purchase law; (7) tariff reduction; (8) opposition to the force bill.

(1) Public lands: His services in respect to public lands were in connection with two great measures. One of these measures, which was not introduced by him but in which he took a very prominent part, was the repeal of the then existing laws respecting the acquirement of public lands. At this particular time a vast amount of the land being preempted or taken under the different land laws was being fraudulently acquired. It was estimated by Land Office officials that all the way from 70 to 95 per cent of the entries were fraudulent. A large amount, literally hundreds of thousands of acres of valuable mineral, grazing, and timber lands were being thus accumulated by speculators in utter defiance of the wording and spirit of the land laws, and, of course, to the detriment of the bona fide settler and entryman. The law in question, if adopted, would have had the double effect of protecting past frauds and making future fraudulent acts easy and safe. Against this proposition he fought during the entire three terms. His speeches upon this subject may be found in the RECORD for the Forty-ninth Congress, first session, page 7161; Forty-ninth Congress, second session, page 2023; Fiftieth Congress, first session, pages 5561, 5568, 5573, 5596, and 5606. They were models of research, logic, and forensic ability of the highest type.

The second measure affecting the public lands with which he was identified, and, in fact, the author, was a bill providing for the forfeiture by various railroads of land granted by the Government in aid of railway construction under certain conditions, which conditions had not been complied with by the railway companies—in other words, the return to the Government of donated land which had not been earned in accordance with the terms of the donation. These forfeiture bills involved something like 60,000,000 acres of land. After a fight which he led, lasting five years, the most of these laws were passed in sub-

stance, and there were returned to the public domain approximately 60,000,000 acres for settlement, thus affording homes and farms for 375,000 settlers.

His speeches upon this matter may be found in the RECORD of the Fiftieth Congress, first session, pages 5436, 5439, 5440, and 7039–7044; Fiftieth Congress, second session, pages 2674–2676; Fifty-first Congress, first session, pages 7002–7012.

Changes in the land laws affecting Oklahoma public lands, which would have made speculation and fraud easy: Fifty-first Congress, first session, pages 2210–13, 2216, 2218.

These speeches show the ability of a great lawyer, a profound reasoner, and give conclusive evidence of Senator STONE'S hatred of everything tainted with unfairness or dishonesty. They brought him into national prominence.

(2) Restriction of United States courts: He had been very much impressed by the injustice of the imprisonment of county judges in Missouri who had refused to vote tax levies to pay the old fraudulent railway bonds. Two of the counties involved—Cass and St. Clair—were in his congressional district. He was impressed deeply with the conviction that the United States courts, in issuing writs controlling the acts of State officials in their duties under State laws, were exceeding their constitutional powers and were breaking down the sovereignty of the State as guaranteed under the Constitution. He regarded it as of paramount importance to the welfare of the country that neither the National Government nor the States should be deprived of any of the powers granted in the Constitution. He believed that the tendency in the courts was toward a centralization of power and a crippling in an unwarranted and unconstitutional manner of the powers of the State. This he found exemplified in the change of the attitude by the Supreme Court of the United States in the matter of following the State court interpretation and construction of State laws and constitutions and in the writs issued to State officers as above. The latter evil had been brought, as I have said, vividly to his mind through the imprisonment of these county judges, who under the existing law were not only powerless to issue the orders levying the taxes in accordance with the judgment of the United States court, but would have made themselves liable to heavy penalties had they done so. He therefore introduced a bill providing that "the jurisdiction of the district and circuit courts of the United States shall not be deemed to extend to any judicial or other officer elected or appointed under the laws of any State to compel by mandamus or other writ the performance by such officer of any official act arising under or authorized to be done by the laws of such State." Upon the 5th of January, 1886, he for the first time introduced bills. One of these was the above, affecting United States courts. In every session thereafter he introduced this same measure and fought for its adoption. The speeches made in support of it are powerful and seemingly unanswerable constitutional arguments. They may be found in the RECORD of the Forty-ninth Congress, second session, page 1459, and the Fiftieth Congress, first session.

It may be of interest in this connection to say that, although unsuccessful in having this law adopted, he continued the fight during his term as governor, sending to the legislature a special message requesting the memorialization of Congress touching the matter and the passage of a law which would permit the governor, in any case where the county judge was inacapacitated, by imprisonment or otherwise, to act, to appoint a commissioner to do any and only such specified acts as the governor might designate and who should remain in office only until those acts were performed. This recommendation passed the house of representatives, but was killed in the State senate by what was denominated in the newspapers at that time as the "bondholders' friends."

(3) Fraudulent pensions: At the time he was serving in the House of Representatives a vast number of bills pensioning named persons were passed. This was done to such an extent that Friday night of each week was set aside and devoted to that purpose. Early in the first session of the Fifty-first Congress he began to oppose such of these bills as he regarded as fraudulent and unworthy. This opposition was unusual, startling, and daring, since it in a way challenged the opposition of the old-soldier vote, of which vote he had a very large number in his district. The position he took in regard to these bills was that each claim should be carefully considered upon its merits, the worthy claims allowed and the unworthy disallowed. He undertook the enormous task of investigating the great number of these claims in detail, and so effective was his exposure of the fraudulent character of many of them that during that term, which was his last in the House, the evil was effectually abated. His position on these matters attracted wide attention all over the country, and except from selfish or partisan sources met with universal approval. Some of his remarks upon these matters may be found in the RECORD of the Fifty-first Congress, first session, pages 2502–2509, 2763, 2254–2259, 2773, 3012, 3516.

(4) River and harbor improvement: Beginning with his first session in Congress and extending through the time he was in the House of Representatives he vigorously opposed provisions in the river and harbor bill appropriating money for the improvement of inconsequential streams. His position upon such improvements was expressed in the following sentence:

> I would improve nothing by national legislation except important harbors and the important rivers of the country. (49th Cong., 2d sess., p. 921.)

His speeches upon this subject may be found in the RECORD, Forty-ninth Congress, first session, page 4246; Forty-ninth Congress, second session, page 920; Fiftieth Congress, first session, pages 3208, 3255, 3259–3261. The final part of the first speech made upon this subject, found in the RECORD, Forty-ninth Congress, first session, page 4246, is rich with rare humor, and is well worthy to stand beside Proctor Knott's famous Duluth speech.

(5) Repeal of silver-purchase law: At this time the United States Government purchased so much silver annually. During the terms he served in the House there was a violent fight over the repeal of this law, which would have resulted in the total demonetization of silver. Upon this question he took a strong stand against the repeal of the purchase clause. The first speech he ever made in Congress was in opposition. The first sentence, so far as the RECORD shows, which he uttered in Congress was the beginning of this speech, as follows:

> Mr. Speaker, I take it that statesmanship is never directed to better purpose than when it aspires to make the great masses of people contented and happy. (49th Cong., 1st sess., p. 2603.)

His speeches upon this matter are found in the RECORD of the Forty-ninth Congress, first session, page 2603; Fifty-first Congress, first session, page 5807.

It was undoubtedly STONE'S great influence which tipped the balance of Democratic opinion in favor of the ticket of free and unlimited coinage of silver. STONE was an ardent advocate of the nomination of Mr. Bland for President at the 1896 convention. Whatever may be the opinion as to the wisdom of the free and unlimited coinage of silver at the ratio of 16 to 1, it is now practically admitted that the interests of the country demanded an increased volume of money. It is not too much to say that whether or not free and unlimited coinage of silver was a correct principle, it was a sounder doctrine than that the currency should remain stationary and contracted. This battle waged on behalf of the people undoubtedly brought good fruit in later years, and did much toward the final currency and banking reform under which the Nation now prospers.

(6) Tariff reduction: He was at all times strongly in favor of a reduction of the tariff to a strictly revenue basis. His views upon that matter may be found in the RECORD, Fiftieth Congress, first session, pages 3856, 4869.

(7) Force bill: Thomas B. Reed, of Maine, was Speaker of the Fifty-first Congress, and it was during that Congress the Republicans introduced and attempted to pass the infamous force bill, which contemplated the complete control of elections by Federal officials—military, if necessary. This bill was aimed to perpetuate in power the Republican Party by giving over the control of the South. No congressional measure in my memory has engendered the bitterness in congressional debate which this bill aroused. In both sessions of this Congress he made speeches against the bill. In the last of these speeches he did much to compass the defeat of the bill. Lovers of forensic eloquence would do well to read that speech. It is found in the RECORD, Fifty-first Congress, second session, page 1211. The other speech is found in the RECORD, Fifty-first Congress, first session, page 6848.

MISCELLANEOUS.

Other matters of importance upon which he expressed himself were as follows:

(a) In connection with a bill providing for arbitration between interstate carriers and their employees he indorsed labor organization and advocated the ownership by the Government of railways and telegraphs. (RECORD, 49th Cong., 1st sess., Appendix, p. 54.)

(b) He favored the irrigation of arid areas. (RECORD, 49th Cong., 2d sess., p. 8480.)

(c) He bitterly attacked "Czar" Reed's abuse of powers as Speaker of the House. (51st Cong., 1st sess., Appendix, p. 45.)

(d) He voted for and advocated an act prohibiting the importation and sale of convict-labor-made articles.

(e) The report, partially prepared by him, made by the selective committee on existing labor troubles in Pennsylvania in 1888 was such a thorough exposure of the unparalleled conditions of labor in that State that it attracted national attention and comment.

The distinguished services rendered by Mr. STONE as a member of Congress made him the logical Democratic nominee for governor. He filled that important position from 1893 to 1897.

AS GOVERNOR.

His entire administration was stormy and eventful. This was due partly from conditions affecting Missouri along with the entire country and partly from conditions peculiar to Missouri at that time. Among the former may be noted the financial stringency and panic and widespread labor disturbances on a great scale, including the American Railway Union strike and miners' strike. Among the latter conditions may be noted the marked reduction in the State revenues, the powerful railroad lobby which had control of the legislature, and frauds in elections in the big cities of the State.

The effect of the general nation-wide financial situation needs no comment.

There was widespread industrial discontent at the time, which included not only the railway and mine strikes noted above but the famous Coxey movement. The result of these disturbances was that the military arm of the State was called out in many States of the Union, including the three Missouri boundary States—Kansas, Iowa, and Illinois. Although Missouri was a great railroad and a great mining State, and these disturbances were as powerful there as in other States, the situation was so controlled that disturbances were reduced to the minimum, and at no time was it necessary to declare martial law at any point or to call out the State troops. This was the result, of course, of his firm but rational handling of the situation.

The reduction of the State revenue began about the first of his administration. Under the State constitution the rate of taxation for State purposes automatically changed from 20 to 15 mills when the assessed valuation reached $900,000,000. Up to the beginning of his administration the assessed valuation had been a few millions under $900,000,000, thus affording the maximum revenue. About the beginning of his administration it passed to a few million beyond the $900,000,000 mark, resulting in a loss of one-fourth of the tax rate, with no compensating increase in the assessed valuation. Also, in 1892, just before the beginning of his term, the main building of the State University had burned, and during his administration the normal buildings at one of the normal schools had also been destroyed by fire. In the face of this financial condition the affairs of the State were so handled that not only were all State needs met, repairs and additions to the eleemosynary and educational institutions made, including the present main building at the State University, but the State bonded debt was very materially decreased. At the beginning of his term this bonded debt amounted to $6,680,000, consisting of $1,380,000 at 6 per cent and $5,300,000 at 3½ per cent.

During this administration all of the 6 per cent bonds were paid off and $300,000 of the 3½ per cent bonds, thus reducing the bonded debt by $1,680,000, disposing of all of the higher per cent bonds, and reducing the annual interest demand by almost $100,000. As important items in connection with this subject, it may be said that the reduction of the annual revenue through the change of rate of taxation was about $500,000, and that during this time nearly $800,000 was expended in connection with additions and repairs at educational and eleemosynary institutions.

For years the railroad lobby had exercised a potential influence over the State legislature. The fight with this lobby began shortly after his induction into office through his attempt to have enacted a railway fellow-servants' law. The fight became bitter and personal, with the result that for the first time in many years the lobby was driven from power; and although they prevented the enaction of the fellow-servants' law during his administration, his work had been so effective that it was forced through by the first legislature after he left office.

There had been prior to and during his term of office notorious election frauds in the large cities of the State. He urged and secured the passage of fair-election laws which tended to minimize this evil.

He proved himself the friend of the public-school system of the State and a champion of the university, sending to the legislature a special message upon the latter subject in which he favored the establishment of a substantial endowment fund.

As stated in the discussion of his record in the House of Representatives, he sought to relieve the situation brought about in St. Clair and other counties by the imprisonment of the county judges, sending a special message to the legislature in that regard, advocating a memorial to Congress upon the subject, and a law empowering the Government to appoint a commissioner with special powers to carry on such parts of the duties of the county court as might be designated by the governor and which were necessary to prevent the paralysis of the affairs of the counties.

POLITICAL.

During his term as governor he took a very prominent part in State and national politics. Among the subjects in question to which he devoted himself was the silver question, with which you are familiar. Others were as follows:

During his term the American Protective Association reached the zenith of power. This was an organization whose sole purpose was to oppose the holding of public office by any Catholic. It introduced into politics the religious issue, and seems unquestionably, at least in Missouri, to have been allied with the Republican Party. It became very formidable and public men were careful in opposing it. He, however, declared vigorously against it, denouncing it in unmeasured terms as un-American and fighting it so effectively that the Democratic convention of 1894 adopted as a plank in its platform a denunciation of the organization. The fact that he was bitterly denounced for this action and received a great number of letters threatening his life had the, with him, natural result of increasing his opposition.

Out of all his speeches I am sure he would have me select for preservation here these words which he uttered in the Missouri campaign of 1894. He would desire to have them preserved because he spoke them out of the fullness of his heart, because they mirrored his broad, generous soul and his true Americanism:

> Thomas Jefferson was the father of the Democratic Party. On his tomb is an inscription which he had written for himself, "The author of the statute of religious freedom of the State of Virginia."
>
> There are men within the hearing of my voice now, I doubt not, who recollect how the so-called Know-nothing Party rose up and became a political potentiality in the forties. Its objects were twofold—to deny the ballot to citizens born outside the United States and to Catholics the right to hold an office. And the first Democratic national convention, after this organization arose, denounced it as un-American, wrong in principle, as an attack upon the liberty of the individual and the integrity of our institutions. The Republican Party shortly afterwards nominated a President and Vice President and formulated a platform. But it said not one word in denunciation of that Know-nothing movement. It dodged the issue and said nothing. It has been prone to this policy ever since. Fellow citizens, that political party is not worth your vote or mine that hesitates to do right no matter what comes of it.
>
> I denounce this present Know-nothing movement, this A. P. A., as our party has denounced it, because it is un-Democratic, un-American, and un-Christian. It is un-Democratic because it is inequitable and unjust. It is un-American because it is contrary to the provisions of the Constitution of the United States, which provides that no religious test shall ever be required to the holding of public office. And a similar provision is written in the fundamental law of our own Commonwealth. Finally, I leave it with you all if it is not un-Christian. I do not speak to-night from the standpoint of a Catholic. I am not a Catholic. By birth, by marriage, by conviction I am a Protestant. I speak from the standpoint of an American citizen, a Democrat, and a man.

He championed the rights of the States and of local government.

He also advocated the construction of a deep waterway from the Lakes to the Gulf, with improvement of the Mississippi and Missouri Rivers.

In September, 1894, in a speech at Carthage, he strongly advocated the popular election of United States Senators.

At the annual banquet of the New York Board of Trade and Transportation at Delmonico's in April, 1894, as guest of honor, he responded to the toast of "The Western Point of View." His speech was a eulogy of the greatness of the West, which he loved, and of the political and patriotic necessity of a combination of the West and South against the East to secure fair national treatment, unless the East would recognize the situation and accord it. This speech attracted national attention and placed him among the presidential possibilities widely discussed.

Senator STONE'S career is fresh in the minds of those who meet to-day to pay respect to his memory. Nevertheless, for the sake of history, I shall very briefly review some of his principal acts in the Senate during the years he sat here in this Chamber exercising a potential influence upon public events.

WILLIAM J. STONE entered the Senate March 4, 1903, succeeding George Graham Vest, Missouri's renowned "Senator of two Republics," whose service in the United States Senate covered an eventful period of 18 years. It is well known in the political history of Missouri that Mr. STONE could have been elected to the Senate in 1897, upon his retirement from the governorship. It is known that he declined the overtures made by Democratic leaders in the legislature because of his profound respect for the towering abilities of Senator Vest, and because he considered the distinguished services of Vest merited continued tenure in the Senate. It was not until Mr. Vest announced his forthcoming retirement that Gov. STONE consented to become a candi-

date for senatorial honors. He was elected by the legislature in January, 1903, following a caucus nomination of his own party, without opposition, his only opponent having withdrawn upon the eve of the ballot.

His senatorial career began with the special session of the Senate in the Fifty-eighth Congress, called in March, 1903, to consider the Cuban reciprocity treaty. His first entry into senatorial debate was on January 26, 1904, with an address upon the Panama Canal treaty concluded with the new-fledged Republic of Panama by the Roosevelt administration. The debates upon this treaty were largely conducted in the open Senate through the medium of resolutions touching the controversy presented by various Senators. Senator STONE drew the attention of his new colleagues by a clear, incisive discussion of the somewhat unusual features of the revolution out of which the new government had sprung. He supported the treaty, accepting the opportunity to advance the great canal project, of such great concern to Americans, but condemned the methods he believed to have preceded the separation of Panama from Colombia, urging a more liberal policy in dealing with the Latin-American nations. His words upon this occasion were prophetic, suggestive of a new policy in our relations with Central and South American States, a policy now generally approved and accepted as both wise and just. Among other things, he said:

> The true policy of this Government with reference to the Republics south of us would lead us on different and higher lines. We should so comport ourselves as to inspire the confidence of our neighbors. They should not stand in dread of our power, but rely upon it as a shield for their protection. We should link them by bonds of mutual amity and interest. What boots the Monroe doctrine to them if it stands only to guard them against European aggression, while the door is open for us to invade at pleasure?
>
> If I could be potent in shaping our policy in this behalf, I would be governed by one supreme consideration—that of attracting the southern Republics to us by a course instinct with the spirit of candor, justice, and fair play. I would enter into such compacts with them as would promote our commercial relations and make them for all practical purposes, offensive and defensive, a part of us. I would strive to inaugurate great republican policies of government—monetary, commercial, and political—common to all America, and these I would oppose, if need be, to the monarchical policies of the Old World.

Senator STONE received exceptionally good committee assignments, including places on the Commerce, Indian Affairs, Philippines, Public Buildings, and Education and Labor Committees, all active, important bodies. At that time, with the Indian problem in an acute stage, prior to statehood for Oklahoma and the Indian Territory, his assignment to the Indian Affairs Committee, of which he afterwards became chairman, was particularly important. Many thousands of Missourians were residents of the two Territories named, and these people naturally regarded Mr. STONE as their representative. Accordingly he took an active interest in all legislation dealing with the settlement of the affairs of the Five Civilized Tribes, sponsoring and advocating many constructive measures vital to the people of the Southwest. Among these were bills looking to the removal of restrictions upon the alienation of the surplus lands of full-fledged citizens; the control of the sale and leasing of mineral lands in the territory so as to protect the Indian, prevent unscrupulous exploitation, and at the same time promote the legitimate development of a region of marvelous growth and prospect. He exposed and thwarted many designs of speculators and lobbyists who sought to profit at the expense of the Indian and this new country. Statehood was then the vital issue in the Territories, and, though not a member of the Territories Committee, he consistently advocated and voted for statehood, preferring separate statehood, but finally supporting the only possible measure that could be passed, under which Oklahoma was admitted into the Union. In connection with his consideration of the Indian problem, he strongly supported the established policy of Congress and the Government in suppressing the liquor traffic among the Indian tribes, and was the author of the self-enforcing prohibitory provision afterwards incorporated into the Oklahoma constitution, known as the Gallinger-Stone amendment to the statehood enabling act.

Through his fight with the railroad lobby in Missouri he had become familiar with the evil effects of corporation activity in politics. He had succeeded in securing the adoption of a party declaration upon the subject by the Democratic national convention in 1900, which he wrote and championed. This declaration reads:

> Corporations should be protected in all their rights, and their legitimate interests ought to be respected, but any attempt to interfere with public affairs of the people or to control the sovereign which creates them ought to be forbidden under such penalties as will make such attempts impossible.

During the last days of the Fifty-eighth Congress he delivered in the Senate a remarkable address upon the subject of campaign contributions by corporations, and was one of the first to advocate stringent penalties for future offenses of this character. It has since been provided by law in practically every State, and by Federal statute, that no corporation can make contributions to committees or candidates. STONE was among the pioneers in urging such legislation.

He succeeded Senator Vest on the Commerce Committee, then, as now, dealing with waterway transportation projects of great consequence to the States touching the Missouri and the Mississippi Rivers. During the early period of his service on this committee the policy of Congress respecting the upper Mississippi and the Missouri was distinctly unfavorable. Senator STONE began a long and for many years an apparently hopeless fight for a systematic improvement plan, adequately financed by congressional appropriations, covering both waterways. This was before commercial bodies in the Mississippi Valley had undertaken extensive educational propaganda directed toward the development of public sentiment in sympathy with these projects. Many of the appropriations which maintained these two waterways upon even the most temporary basis during these years of determined opposition by potent factors in legislation in both Houses of Congress were due to the persistent and persuasive efforts of the Missouri Senator. Dealing with the haphazard method of river appropriations, he said in the Senate on February 27, 1907:

> Yet we wonder why the commerce on the river goes down, and why the capitalists of St. Louis do not invest in boats and barges for river navigation. There is neither justice nor reason in such a condition. A policy such as we are following creates uncertainty, destroys confidence, and retards the development of that immense commerce that would almost certainly follow if more assuring conditions prevailed.

He had the privilege of subsequently aiding in framing the provision of legislation which established permanent annual appropriations for the Missouri River and increased allotments to the upper Mississippi. At all times he was an ardent advocate of the project known as the Lakes-to-the-Gulf waterway.

In his service upon the Commerce Committee he became a close student of the national shipping problem and was always a staunch advocate of liberal treatment of American shipping. More than once he advocated in the Senate repeal of the restrictive navigation laws, which he argued were responsible for the decline of the American merchant fleet. He had always been one of the foremost advocates of progressive merchant-marine legislation. Practically every public utterance of his, upon the stump and elsewhere, dealing with general national issues had contained strong appeals for merchant-marine legislation upon broad lines. He had opposed subsidies upon all occasions, owing to his pronounced conviction that the repeal of the navigation laws would alone promote the growth of a national fleet under American registry. Years afterwards, in the Sixty-fourth Congress, when as an administration leader, with his own party in power in the Senate, he was one of the foremost Senators contending for the passage of the shipping bill, which afterwards became law in a modified form, resulting in the establishment of the present Shipping Board and the Emergency Fleet. His activities in this behalf are well known. His strong advocacy of an adequate naval program was inseparably connected with his ardor for a great merchant fleet. Speaking on this subject in the Senate, April 27, 1908, he said:

> For many years, both in and out of Congress, I have been an ardent advocate of an increased Navy and also policies looking to the restoration of our merchant marine. The two things are so related that I can not think of the one without thinking of the other. The decadence of our maritime prestige and power constitutes one of the most discreditable and humiliating facts in our history. * * * No man is more solicitous than I to see our merchant ships swarming all over the world, and I doubt if any is more keenly alive to the wisdom and necessity of constructing a war Navy adequate to subserve the needs of our country.

During the long session of the Fifty-ninth Congress the railroad-rate legislation pressed by President Roosevelt was the acute issue. The bill finally presented to the Senate empowered the Interstate Commerce Commission to fix rates upon prescribed standards. Debate in the Senate was extended, finally turning upon the question of judicial review of the commission's acts. Many great speeches were made upon the various phases of the legislation proposed. Senator STONE delivered during this session one of the most carefully prepared addresses of his legislative career, in which he discussed these problems with rare clearness of thought, taking advanced ground upon both the legal questions presented and the general policy of rate fixing. In this speech, delivered April 5, 1906, he opposed enlargement of the power of the judiciary to suspend the orders of the commission, and strongly advocated the policy of allowing the commission to initiate and fix rates. He favored the regulation by statute of the practice of courts in dealing with the decrees of the commission, saying:

> A law of this kind to be effective, and orders of this kind by a commission of this kind to be of value, must be promptly enforced. The courts should be open to every suitor, but the privilege of resorting to them should not be turned into an abuse. While guarding the right of everyone to seek a judicial remedy for private wrong, the exercise of that right should be so regulated as to prevent it eventuating in a public wrong.

The original interstate-commerce act, which placed a ban upon rebating, contained a clause punishing violations of the anti-rebate section by imprisonment. In the Fifty-seventh Congress the imprisonment penalties were abolished by act of Congress. In his speech of April 5, 1906, Senator STONE advocated the restoration of these penalties, being the first Senator to speak upon the subject. Later he offered an amendment to the pending bill which restored the penalty clauses of the original act. This amendment was adopted and the bill as finally passed contained the provision.

In 1907 he made an extended tour of the Philippine Islands and the Orient, and upon his return to the Senate he prepared and afterwards presented a constructive program for the treatment of the islands. He proposed to restore them to their own people 15 years after the date of the treaty of Paris, with a provision for the neutralization of the territory, retaining naval bases for the United States. This measure was widely commented upon and received the practically solid support of those who favored Filipino independence. The Democratic national platform of 1908 contained a plank indorsing this policy, expressed in language almost identical with the terms of Senator STONE's joint resolution.

Throughout the entire discussion of tariff legislation dealing with the Philippines, Senator STONE opposed free trade with the islands. In a notable speech delivered April 20, 1909, he set forth in a strong argument his reasons for his position, based upon constitutional grounds and considerations of sound policy. He contended that if the doctrine which accepted the Philippines as a part of the United States was well founded no customs barriers of any kind should be raised against them, but that, if the Nation proposed to return the islands to their own people, it would be unwise to create such commercial relations as would make it difficult to accomplish our national purpose, adding that we were under no such obligations to the Filipinos "as to make it our duty to support their government or to build up their industry at the expense of our own."

Probably his most active work in the Senate, covering a period of over seven years, was in the great Finance Committee, of which he was appointed a member on December 8, 1910. Even before his service upon the committee began he took an active part in tariff legislation and tariff discussions. He participated extensively in the debates on the Payne-Aldrich bill, the Canadian reciprocity measure, the schedule-by-schedule revision attempted in the Sixty-second Congress, and on the Underwood-Simmons bill—the present law. In the celebrated contest over the Payne-Aldrich bill, during which the majority party of the Senate divided into sharply defined factions, Senator STONE, still a minority Member of the Senate, was conspicuous. Though not a member of the Finance Committee at that time, he availed himself of the counsel of experts, conducted an independent research into the various schedules, and carried on a vigorous fight in the open Senate for lower duties. Many of his exchanges with Mr. Aldrich, of Rhode Island, then the chairman of the Finance Committee, attracted national attention. Senator STONE may justly be termed one of the leaders in the fight against the bill, which probably aroused more intensity of feeling among the respective factions than any other tariff bill in our history, stimulating a greater variance of opinion with men of all parties. It was largely due to his fight on the Payne-Aldrich bill that his appointment to the first vacancy on the Finance Committee was made.

During the last session of the Sixty-first Congress a heated contest developed in the Senate over the charges against William Lorimer, then a Senator from Illinois. Possibly none more bitter, and few more intense, involving a personal issue, ever appeared in the Senate. Senator STONE was not a member of the committee which investigated the charges, but after the evidence had all been presented and Mr. Lorimer himself had addressed the Senate in his own behalf, Senator STONE, on February 28, 1911, in an extended speech attacked Mr. Lorimer's position and declared his intention to vote to oust the Illinoisan upon the facts submitted. This speech was remarkably dispassionate, displaying in the most striking way the Senator's great powers of analysis and judgment. It was regarded by many as one of the best efforts of his senatorial service, and was undoubtedly of great weight in the final determination of the question. He dwelt strongly upon the ultimate responsibility of Mr. Lorimer for admitted irregularities in the legislature and challenged the correctness of Lorimer's interpretation of his relations to his lieutenants, particularly a member of the Illinois lower house named Browne. Senator STONE said:

Does it seem probable that Browne would discuss money considerations with his followers, make promises and afterwards keep them, with utter ignorance on Lorimer's part as to what was being done? Lorimer was in command, and he was to be beneficiary of the contest. Can Lorimer's lieutenants be guilty of these crimes and yet Lorimer himself, the beneficiary, be wholly innocent?

This address is cited as one of the most powerful evidences of Mr. STONE's abhorrence of corrupt practices in politics. The question involved in this case was not partisan—party lines were wiped out in considering the facts. Senator STONE weighed the evidence, and declined to compromise with what he considered a vicious thing. He believed the Illinoisan guilty of culpability in this connection, so declared and so voted, and his view finally prevailed.

In 1910 a political upheaval resulted in the election of the first Democratic House of Representatives since 1892. In the new Congress Senator STONE, as a member of the Finance Committee, took a prominent part in support of the Canadian reciprocity treaty presented by President Taft. He was one of the most constant attendants upon the sessions of the committee, which were largely occupied for a time in extended hearings. It developed that many of the President's party associates in the Senate were opposed to the measure, so that a very considerable portion of its advocacy fell upon the shoulders of Senator STONE and his party colleagues. He was frequently called into consultation by the President, and worked faithfully and assiduously for the passage of the treaty. He was one of those who were keenly disappointed when the measure was rejected, owing to the fall of the Laurier government in Canada through the elections in 1911 and the accompanying reversal of the policy of the Dominion.

During this Congress the Democratic House, under a pledge to revise the tariff, passed several bills revising separate schedules of the tariff law, including the free list, cotton, and woolen manufactures, and so forth. These measures had a stormy passage through the Senate, but all of them were supported and in large measure sponsored by Senator STONE in committee and upon the floor. Such of the bills as were passed by the Senate, through the cooperation of progressive Republican Senators with the Democrats, were vetoed by the President.

In the Democratic Senate of the Sixty-third Congress Senator STONE was the second ranking member of the Finance Committee, and as such participated in the framing of the tariff bill passed in 1913. He was the chairman of a subcommittee considering several of the most important schedules. His responsibilities in this connection were very great and his labors arduous. His colleagues on the Finance Committee have already testified to the continuous and painstaking devotion of Senator STONE to the exacting duties of his position. He worked many weeks upon the schedules assigned to him. Anyone familiar with the details of tariff legislation can well testify to the demands upon the legislator who deals with these matters in a conscientious way. It involved many tedious hours of listening to experts, manufacturers and consumers, importers and exporters, with many patient days and weeks of laborious research and discussion.

Senator STONE applied himself to this vast undertaking with his usual thoroughness during consideration in committee, upon the floor, and elsewhere. At the same time he contributed to the debates in the Senate many illuminating and striking utterances in support of the measure. A tariff bill, under the legislative system then prevailing, is a greater tax upon the legislator than almost any other. The Underwood-Simmons Act became a law in October, 1913, and about a month later Senator STONE was taken critically ill, largely through overwork during the long period of the consideration of the tariff measure. His illness continued for nearly five months, developing a complication which indirectly contributed to the cause of his death.

During his convalescence in the spring of 1914 Senator Bacon, of Georgia, chairman of the Committee on Foreign Relations, died, and Mr. STONE, the ranking majority member, was appointed to succeed him. He had served on this committee since April 23, 1908. He continued at the head of the committee until his death in April, 1918, covering a period of 10 years of service on the committee. When he returned to the Senate after his illness, having scarcely recovered, the relations of the United States with Mexico had become strained to the point of breaking and Congress had passed the joint resolution justifying the course of the Executive in using the armed forces of the United States against Huerta. Senator STONE strongly supported throughout the measures of the Government in dealing with the usurper.

During his service at the head of the Foreign Relations Committee he piloted through the Senate many important treaties, including arbitration treaties, the so-called Bryan treaties for the advancement of peace, the convention providing for the purchase of Danish West Indies, the Nicaraguan convention, and many others of minor importance.

MEMORIAL ADDRESSES ON THE LATE SENATOR JAMES.

Mr. BECKHAM. Mr. President, I offer the following resolutions, which I ask may be read, and I move their adoption.

The PRESIDING OFFICER (Mr. KING in the chair). The Secretary will read the resolutions.

The resolutions (S. Res. 434) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Kentucky.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. BECKHAM. Mr. President, it is a sad and solemn occasion whenever we are gathered here to pay tributes of respect and regard to the memory of one of our departed comrades in the membership of this body.

In the strenuous and feverish times of the last few years, engaged as we have been in the most arduous and important work, and going out of one session of Congress into another without rest or relaxation, we have frequently, far too frequently it seems to us, been reminded of how slight is our hold upon this life, and have been called upon to pause in our work and contemplate in grief and sorrow the earthly separation from us of one of our coworkers in the Senate. Death, which has been in these recent years more unsparing and rapacious than ever before throughout the world, has not overlooked the Members of the Senate in its world-wide harvest, and we have severely felt its heavy hand many times upon some of our most useful and conspicuous associates here.

Since I entered the Senate, Mr. President, a little over three years ago, of the 96 Members at that time 15 have passed away, and I have no doubt that this unusual and excessive mortality is in a large measure due to the extraordinary and tremendous amount of work that has fallen upon the Members of Congress in these troublous and eventful years of sorrow and death.

When I came here in December, 1915, my late colleague from Kentucky, OLLIE M. JAMES, who had been a Member of the Senate since March 4, 1913, was one of the most striking and popular figures in Congress. Of giant physique, big of body as well as of mind, in the very flush and prime of a useful and distinguished life, full of zeal and enthusiasm in the public service, for which he was so well equipped, he seemed to be the very picture of vigorous and robust health; and one who saw him in those days could well believe that the ravages of time and old age alone could conquer such a specimen of manhood, and that there stretched before his ambitious and patriotic vision the promise of many more years of valuable service to his country. His strength and vitality seemed to be irrepressible; he loved life and his fellow men with boyish enthusiasm; and it never occurred to one who saw him then that the scythe of the Great Reaper could be so near him.

But, alas, Mr. President, death is still as it ever has been, cruel and remorseless in the victims it selects. It still loves a shining mark. It spares neither the young nor the old, the weak nor the strong; it strikes down without concern either the exalted or the lowly. The door of the greatest deliberative and most dignified body on earth can not any more bar its entrance than can the door of the humblest cottage in the land. And now we find that our friend, in the flower of his manhood, like a strong young oak in the forest singled out by the fierce storm in its destructive course, laid low in his earthly career; and we are assembled here to-day as his colleagues to render to his memory in some degree the testimonials of our respect, our admiration, and our affection for his many generous and noble qualities of heart and mind.

As one who knew him intimately and well almost since his boyhood days, I feel that it is impossible to express in the necessarily limited time of this occasion all that might be said of him and of his remarkably successful and brilliant career in the public affairs of his State and of his country. However, I may be permitted to give briefly some of the leading and important events in his biography.

OLLIE M. JAMES was born in Crittenden County, Ky., July 27, 1871. His father, Judge L. H. James, a leading lawyer and a highly respected citizen of that county, still lives at a venerable and honorable old age, and bears in his heart with Christian fortitude and patience the deep sorrow of the untimely end of his distinguished son, in whose remarkable and creditable success he took so much pardonable pride and joy. Senator JAMES's good mother, to whom he was so devoted, preceded him to the grave less than a year, and was spared the grief which came to the surviving members of his family when he joined her on the other side.

He was educated in the public schools of his county, and, although he was never a profound student, he early manifested that quickness of intellect and breadth of mind which made up to a large extent what he lacked in the opportunities of collegiate training and higher education. In 1887 he was a page in the Kentucky House of Representatives, and it was there that he probably acquired that intense interest in political questions which was the guiding factor in his life afterwards.

He studied law with his father and was admitted to the bar in 1891. Although his practice of the profession was frequently interrupted by his activity in campaigns and his participation in political affairs, he demonstrated a broad and keen comprehension of the fundamental principles of the law, and with his natural gift and love of oratory he became a most effective and successful advocate before juries.

In 1896 he was a delegate to the Democratic national convention in Chicago, and became an ardent and eloquent champion of the nominee of that convention, Hon. W. J. Bryan, and of the principles for which he stood. In 1904 and each succeeding four years thereafter he was a delegate from the State at large to the Democratic national conventions, where he always attracted considerable attention, and at the convention in Baltimore in 1912 and the one in St. Louis in 1916, he was selected as permanent chairman. He therefore enjoyed the distinction of presiding over the two conventions that nominated Woodrow Wilson for the Presidency; and it is well known with what a high degree of confidence and esteem he was held by President Wilson. His relations with the White House were so close and cordial that he was often regarded as a spokesman of the President, and he never faltered in his loyalty to him nor to the policies for which the President stood.

His ambition as a boy and as a young man was always directed to a seat in Congress. He never sought nor held any other office, and in 1902 he was elected to Congress from his district, beginning his service in the Fifty-eighth Congress March 4, 1903. He served in the House with credit and distinction for 10 years, leaving it March 4, 1913, to enter the Senate, to which he had been elected by the General Assembly of Kentucky. His term, therefore, will expire on next March 4. But less than a month before his death last summer he had been renominated in the State Democratic primary, and had he lived would undoubtedly have been reelected in the November election for another term.

Senator JAMES was one of the most popular and vigorous speakers of his day. He possessed natural talents as an orator. His striking appearance, his splendid voice, and his great skill in clothing his ideas in forceful words and sentences gave him a wonderful hold upon his audiences; and in the later years of his life no political speaker in the country had more demands upon his time for speaking appointments than he had. Upon the stump, the platform, in convention halls, and upon the floors of Congress he always commanded the most attentive hearing. He was never tiresome and always exhibited the happy and rare faculty of knowing when to quit. He had an instinctive knowledge of the psychology of audiences. He seemed to know when to speak, what to say, and the proper time to close.

I recall in a national convention some years ago where he demonstrated this unusual power over an assemblage. The convention had been in session nearly a week. Upon this occasion it was very late in the night and the convention was impatient in its long waiting for the report of the committee on resolutions. The delegates and the many thousands of visitors were exceedingly weary and restless. Many speakers, some of them of first-class oratorical attainments and reputations, made numerous and futile efforts to entertain them; but the tired crowd would not hear the speakers, and with jocular and good-natured interruptions drove them from the platform. Finally OLLIE JAMES was induced to try. It was a dangerous experiment for a speaker with a crowd in such a humor. But as soon as he stood upon the platform before them they became at once quiet and attentive. His massive form, the stirring tones of his great voice, and his well-rounded sentences soon captured the audience, and they listened and cheered him repeatedly. He made an appropriate speech for the occasion and did not sacrifice his triumph by speaking too long.

He was very skillful and successful in joint debates, and even in early days before he came to Congress he dared sometimes to challenge and meet in debate some of the veterans of the hustings, and frequently bore off the honors of the encounters. He proved himself a ready and forceful debater in Congress, and in party controversies he was always regarded by

his party associates as one of their most effective pieces of artillery.

He was a Democrat of the strict and regular school, believing with profound faith in the principles of his party; and although he was a partisan he always fought fairly and chivalrously and was esteemed and admired by his Republican associates as well as by his Democratic friends. He was absolutely loyal to the principles in which he believed, and never failed in his championship of them. His ideas and views upon public questions were essentially democratic, and all his sympathies were entirely with the masses of the people, and throughout his public career he never failed in his support of those measures which he believed would bring the greatest good to the largest number of the people.

In his five years' service here in the Senate he won many friends, and the sincerity and fearlessness of his views were recognized by all. He rarely spoke on the floor of the Senate, but when he did he was sure of the most respectful and considerate attention. His last speech in the Senate was made just about one year ago, and it was a strong and ringing defense of the war policies of the administration. He had about reached the zenith of his power and manhood. He was still a young man, with a future before him full of hope and promise. He sought to serve his constituents to the fullest extent, and I believe, Mr. President, that his earnest efforts to serve his people in the great multitude of demands made upon his time and energies under war conditions had much to do with the breaking down of his health. Senators are familiar with the vast increase of work upon us since our country entered the war, and how difficult, if not impossible, it has been to meet every request or demand upon our time. The burden has been very heavy, and my late colleague in his conscientious efforts to meet his part of it, even with his strong constitution, sacrificed his health and his life.

Not only in his public life was he successful but also in his private life, and in his home he was most contented and happy. Married in 1903 to Miss Ruth Thomas, of Kentucky, a most lovely and admirable young lady, he had enshrined her as the idol of his heart, and had gallantly laid at her feet the triumphs and victories which he had achieved. In the sorrow and bereavement which have come upon her the hearts of all who knew this happy couple have been deeply touched. With so much to live for, it is difficult for us, with our limited and finite knowledge, to understand the ways of Providence in striking him down at such a time.

When he last spoke in the Senate on the occasion to which I have referred, he acquitted himself well and ably, but those who sat near him could see that the stalwart frame was not what it had been and that serious illness was upon him. After that day he was never able again to take part in the work of the Senate. He was soon confined to his bed, and all that medical science and the tender ministrations of his devoted wife and of friends could do was done to relieve and restore him. He lingered for some months, bearing his sufferings patiently and heroically, until at last on August 28, 1918, in the hospital at Baltimore, he breathed his last and gave up his spirit to his God.

He was only 47 years of age, but in that brief span he had made a name for himself, a name associated with an honorable and brilliant public service, and a name cherished and loved by the people of his native State and by many thousand of others who had come to know and admire him. Kentucky, Mr. President, was proud of OLLIE JAMES, and in the years to come our people will continue to honor his memory and to count him among that bright galaxy of statesmen that our State has given to the Nation. They will always remember him as a brave and eloquent leader, as a faithful and conscientious public servant, and as a man who never failed through fear or favor to do what he considered his duty. To his sorrow-stricken widow and to the other members of his good family who have been so grievously afflicted we shall always bear the deepest and most heartfelt sympathy.

Mr. WEEKS. Mr. President, certainly not within recent years, if ever, has the Senate met to pay its tribute of respect to the memory of two such distinguished men as Senator STONE and Senator JAMES. When I listened a few moments ago to the eloquent and just tribute which the senior Senator from Missouri [Mr. REED] paid to his late colleague I could not help thinking how justly practically everything he said would apply to that other great Democrat in whose memory we have met. I am gratified to have the opportunity to say a brief word relating to his service, for I am proud to think that I was included among his personal friends.

Senator JAMES entered the House of Representatives at the beginning of the Fifty-eighth Congress, one term before I became a Member of that body, and thereafter until his death we served together continuously in the House and later in the Senate, so that I came to know him and his policies very well. He was one of the most consistent party men I have ever known, a fact I mention because it is not altogether usual in modern times and is one which has my general approval. A government conducted by two great political parties, in my opinion, has a more stable structure and produces more beneficial results to its citizens than any other method which may be followed. A failure to govern by parties in the final analysis means personal government, which may be good or bad; but it is quite certain to lack regularity and stability. Good government or good business can only result by following a well-defined policy. An illustration of Senator JAMES'S views on this question and his recognition of it happened in a conversation he had with me shortly after we became Members of the Senate. He approached me with a proposition that we pair on all matters of legislation. I assented, and then asked him why he had made that proposal to me. His reply, I think, was characteristic. He replied:

> You are a consistent Republican on party measures and I am a consistent Democrat. Therefore it is a fair arrangement.

Of all the men I have known in Congress I can not think of one who had a more dominating personality. His record as a party man in the councils of his party clearly justifies this statement. Kentucky has been represented by a large number of men of national importance, many gifted orators, and, considering its population, has had an almost unequaled number of men prominent in national politics. This fact makes it all the more remarkabe that Senator JAMES was the chairman of his State delegation at a national convention when he was but 25 years of age, and from that time—1896—to the last national convention of the Democratic Party no man in his party occupied a more prominent or influential position than did he.

I never had the pleasure of hearing him in a political campaign, but the testimony from his State is universal—and that might be extended to include the entire country—that no man in his day—and this is extreme praise when you think of the gifted men who have been active in Kentucky during the last 25 years—exerted a larger influence on the stump than he. His very presence was one of authority and dominating influence. Not only was this true in his State and in national party councils, but it was true in the Senate. His ability was recognized on both sides of the Chamber. Although very partisan in his activities, he never failed to be fair in his relations with his political opponents. Indeed, he may be described as a square man in his dealings with friend and foe alike. He struck hard, but never below the belt.

His passing at the early age of 47 has removed from the stage of national affairs a man who would have been a leading figure in this country in some capacity for a generation. If my information is correct, he was impregnable in his political position in Kentucky; and his return to the Senate—in fact, his continued returns—would have added more and more to his influence and importance as a political leader.

The country can ill afford to spare any man who has aptitude for public service, well-defined conviction, and a courage to stand by them. It would much better have among its public servants men who are wrong in many of their conclusions than to have in their place timeservers who base their actions on passing whims and whose main purpose is to maintain and augment their own political importance.

I assume from its past history that Kentucky will continue to be brilliantly represented in the Senate, but I am confident that it will be many days before that State will send to Washington a man who will exert a more important influence than did Senator JAMES or a man who will be more jealous of the interests of the people of his State. To secure his interest and his effective aid, it was only necessary to be a resident of Kentucky or even to have been by birth a Kentuckian. This undoubtedly was a characteristic which had much to do with the strong hold he had and maintained over the people of his State.

I pay Senator JAMES this brief tribute with great pleasure, and notwithstanding the fact that we were antagonistic in our views on many important public questions, I most sincerely regret that the career of this remarkable man has ended.

Mr. ROBINSON. Mr. President, formerly the membership of the Senate was composed largely of elderly men. During recent years that rule seems to have been modified and many comparatively young men have entered this body. Notwithstanding this fact, the death rate among Senators appears to be increasing.

Since March 4, 1913, if my memory is accurate, 25 Senators and ex-Senators have died, 9 of them having returned to private life.

The roll of Senators who have died within this period of less than six years is not confined to the feeble and the aged; it embraces also many who have been stricken in the prime and vigor of manhood. The high death rate among Senators may be accounted for in part by the fact that many have entered the Senate at advanced ages, and after arduous labors elsewhere have reduced their vitality. This does not account for the increasing mortality in our membership. Congressional duties have multiplied in number and increased in importance during the last decade. The outbreak of the war and its progress brought many new problems of vital importance to the Nation and to the world, and also created new labors of a quasi-official nature sufficient in number to overwhelm the most vigorous Congressman. The physical and mental strain incident to labors in Congress during the war now closing accounts for the loss of some of our ablest and most influential members.

The Senator from New Hampshire, Mr. Gallinger, passed away at the ripe age of 81 years, retaining his mental vigor and comprehensive grasp of public questions until the end.

Senator STONE died at an advanced age after long public service. Senator JAMES died in the prime of life, at the high noon of his usefulness and influence. Prolonged service in the House of Representatives familiarized him with the details of national legislative procedure and afforded him accurate knowledge of the many difficult problems connected with the progress of our country. When Senator JAMES began his career in this Chamber he enjoyed, in addition to this knowledge of legislative problems and procedure, an intimate friendship with many Members in both Houses of Congress which contributed to his influence here.

It may be said that some of the most striking characteristics of his public service are epitomized in the phrases "Party loyalty" and "Responsiveness to the will of the people."

Senator JAMES was a partisan; passionately, but not blindly, attached to the Democratic Party. His partisanship was frank and aggressive. He was recognized throughout the Nation during the present administration as a powerful factor in its councils.

He believed that virile political organizations are indispensable to the proper administration of government under our Constitution. He supported the platforms and nominees of his political party with unhesitating fidelity. During 15 years of intimate association with him in the House of Representatives and in the Senate, I never knew him to expressly or impliedly repudiate a platform declaration to which he was committed or to fail to champion, when occasion arose, the administration or organization with which he was allied. Senators present will recall his eloquence and impetuosity in debate. His striking personality, forceful manners, and fluency of speech gave him a degree of power on the platform equal to that of any speaker who has appeared during this generation. He was, perhaps, with the exception of Mr. Bryan and the late former President Roosevelt, the most popular campaign orator of his day.

Notwithstanding the marked attachment which Mr. JAMES always manifested to the Democratic Party, his attitude on public questions was marked by a responsiveness to the will of the people rarely evinced by men in public life. He was not ashamed to avow his readiness to effectuate the public desire in legislation. He believed that the people are the source of all political power under our form of government, and that they can be safely trusted to govern. In political debates, both here and when speaking from the stump, he frequently appealed to public opinion as the supreme political tribunal. This practice was not the outgrowth of demagogy, or of political cowardice. It was the natural development of an abiding faith in the integrity and intelligence of the people.

In spite of partisan views and utterances, Senator JAMES enjoyed many intimate friendships—friendships of the enduring kind, not to be accounted for by the simple rules alleged to govern human relationship, but having their origin and growth in the indefinable but nevertheless powerful laws of human nature. One of the most valuable compensations of service in Congress is the associations members enjoy with one another and the lasting friendships thus formed. Neither politics, religion, nor similarity of habits form a standard by which our friendships are established or mantained. This fact, unimportant as it may appear when first suggested, is of tremendous importance in giving elasticity to our social and political institutions. It enables us to witness the passing of political control from one party to another, with calm assurance that the fundamentals underlying our civilization will be preserved and safeguarded, because we know that the patriotic purposes of American citizenship are not monopolized by any one political party.

Mr. President, it is a pathetic fact that we are so busy here with present and prospective duties that when a Senator dies his prominence is quickly forgotten, indeed rarely recalled.

When a leader in the Senate falls another advances almost unnoticed to take his place. Our proneness to forget Members who have passed beyond is due in no part to lack of appreciation for their virtues. It is occasioned by the responsibilities of public duty—constantly changing; always pressing.

The memory of OLLIE JAMES will be perpetuated here, where he toiled so effectively for the preservation of the people's liberties. He will not be forgotten. The Nation will remember him for his unhesitating loyalty when it summoned American manhood to the defense of civilization.

Kentucky will gratefully preserve his name and fame. Kentuckians honored him while he lived—honored and loved him. They love his memory. That love is as tender as the starlight of a Kentucky night, yet as warm as the sunlight of a summer day upon Kentucky fields and hills.

Mr. KENYON. Mr. President, out of the affection which I bore for OLLIE JAMES I could pay tribute at considerable length to his splendid qualities as a man, as a citizen, and as a legislator, but the hour is growing late, and I shall abbreviate considerably the remarks I had intended to make upon this occasion.

Taking the oath of office by a Senator is always an interesting event. I can well remember—it seems but a few weeks ago, though, in fact, it was nearly six years—a powerful physical giant coming down the center aisle, standing at the Vice President's desk and taking the oath as the new Senator from the State of Kentucky.

I had known of him and of his career, but had no personal acquaintance. He impressed me at that time as a thoughtful, earnest, determined, courageous man, and a fine specimen of American manhood. I came to know him well and intimately during his term, and the impression made on that day became more fixed.

While we differed in our adherence to political parties, I have seldom found myself out of harmony with his views on any question that related to the average everyday folks, and the news of his death brought to me the shock of a great personal bereavement. Such a man, as the Senator from Massachusetts [Mr. WEEKS] has said, the country could ill afford to lose, especially in these troublous times.

Kentucky has given many eminent men to the Nation. It has been a land where oratory has flourished. The intense struggles of the Civil War produced in its subsequent history a rugged kind of character; a self-confidence and determination to stand for the right; a noble type of honor and chivalry. A wonderful history is that of Kentucky, not only subsequent to but before the Civil War.

From a log cabin of Kentucky came the greatest of all Americans, Abraham Lincoln; likewise from that State came the President of the Confederacy, Jefferson Davis. To-day there presides over the House of Representatives one of the most brilliant sons of the Nation, proud of old Kentucky as his birthplace, CHAMP CLARK. Henry Clay was a son of Kentucky, and likewise our departed and beloved OLLIE JAMES.

He had a liking and an aptitude for politics. Starting as a page in the Legislature of Kentucky his rise was rapid, until at last his ambition for a seat in this body was gratified; and who can tell, had he lived, but that higher honors would have awaited him? Certainly he would have been one of the most prominent candidates for President before the next Democratic National Convention.

Probably no more interesting event ever occurred in his life than the reception given him by his home folks after his election in 1912; for, after all, it is the opinion of the folks at home, who know a man in his everyday life, who see him as he walks among them and communes with them that really counts.

It is not always true that the prophet is not without honor save in his own country and among his own people. At least, if that may be true of prophets, it is not true of men with red corpuscles in their veins. It was not true of OLLIE JAMES. I have copies of some telegrams that were sent to Senator elect JAMES at that time and read at that banquet. One, from CHAMP CLARK, reads as follows:

WASHINGTON, D. C., *January 19, 1912.*

OLLIE M. JAMES, *Marion, Ky.:*

The noblest Roman of them all, hearty greetings. Next to an ex-Kentuckian, whom I will not mention for the sake of modesty, I would rather you, another Kentuckian, were shown the straight and narrow path to the White House. If, later on, I am shown that path, I in turn would be happy to have 100,000 Missourians shown that majority for

OLLIE JAMES; that would be about the right figure. Your fellow townsmen no doubt will drink to this sentiment with their ayes at the banquet to be tendered you to-night.

CHAMP CLARK.

Another message on the same occasion:

WASHINGTON, D. C., *January 19, 1912.*

Hon. OLLIE M. JAMES,
Senator elect, Marion, Ky.:

If your home folks think as well of you as we Standpat Republicans do, it is jug-full and then some. Wish I could gaze upon your big, broad, good-natured face to-night and drink to your health and happiness. As I chew the end of my Pantello, and imagine wreaths of smoke curling upward, I can not help meditating on the fact that the Democratic Party is more obnoxious to me than ever; for you are a shining light of that party and it does not deserve such good fortune.

JOSEPH G. CANNON.

And another:

LINCOLN, NEBR., *January 19, 1912.*

Senator Elect OLLIE M. JAMES,
Marion, Ky.:

Remember 1916. If you are not the standardbearer of our party that year I will be greatly disappointed, for Democracy needs just such men as you to succeed the Democratic nominee we intend to elect next November, one term being enough for any good Democrat, even if he is defeated after two times in the running like some I know of.

My congratulations on the enthusiastic reception I feel reasonably certain your own townsmen are according to you to-night.

WILLIAM J. BRYAN.

Mr. President, in order to be a leader one must inspire men. Ollie James did that. He was a master of great assemblies. Probably never in the history of the Nation has one man, save Bryan, exerted more influence in the various national conventions of his party than he. In 1912 and 1916 he was permanent chairman of the Democratic national convention. It will be difficult, I think, to find, though it may be possible, that the same man has twice in succession presided over a national convention of either party. His speech as permanent chairman of the St. Louis convention in 1916 is one of the masterpieces of political oratory. He had been a great lover and follower of Bryan; also of CHAMP CLARK, whom he earnestly desired to see nominated in 1912. When Woodrow Wilson succeeded, and became President, he became his staunch defender; and no man ever had a better one. His speech, hereinbefore referred to, at the Democratic national convention, was a wonderful tribute to the President, and it came from the depths of his heart.

His ability as an orator would be conceded by all who ever heard him. The old-fashioned, flowery sentences seemed to flow naturally from his lips. The pathos of his soul gripped the heartstrings of his hearers. Tested by the ability to move and convince people, OLLIE JAMES was one of America's great orators, and certainly stood among the leaders as a political campaigner.

He was true to the common folks. He loved them, not for politics' sake, but because he had known them, and been raised in the hard school of adversity. He was a true representative of the everyday, average citizen of the Nation, and he was willing to fight in legislation and everywhere else for anyone whom he thought was the under dog in the fight. And OLLIE JAMES was a real fighter in the cause he espoused.

No one would claim that he was not an intense political partisan, but he was fair. I think it would be difficult to have convinced him that the Democratic Party ever made a mistake; but at the same time he could see good in the opposition. Members of this body will not forget his contest with Senator Camden on the floor. The ship-purchase bill was under discussion. I shall always remember with what dramatic power he hurled these closing words of his very remarkable speech:

But, Mr. President, above everything, if this bill must go down, if this great constructive measure must fall, if this must be the first defeat for the greatest President who has occupied that chair in 50 years, if he must fall and above his body the wild shouts of a triumphant Republican Party shall rise, I do pray God that I may be spared the humiliation of reaching down to pull from his body a dagger bearing the impress of the hand of a Kentucky Senator.

I have seen him sway great audiences and arouse them to fighting mood. He could rally his own party forces. His very appearance inspired confidence. They knew he could always take care of himself—in repartee, in humor, or in sledge-hammer blows. Intense partisans want their champion to flay the other fellow. They were sure not to be disappointed when this son of Kentucky got into full action.

He was always anxious in his legislative work to represent the people of his State, although OLLIE JAMES realized that a United States Senator, while accredited to a State, should represent the entire Nation; and he was a big, broad American, hemmed in by no local influences. I have talked with him frequently on the prohibition question. We differed radically; but when things commenced to be going dry pretty fast in the country he said to me one day that while he did not believe in prohibition, if the people of Kentucky got around to where they wanted it, he should be for it. He believed in the people, and the people believed in him. That was the secret of his strength, and that made him the idol of Kentucky Democracy.

The night of the discussion over the war, some of us talked with him and urged him to make a speech. We had had speeches through the day—not much fire in them—and some of us wanted him to make a speech that would stir up enthusiasm. He did, in a speech glowing with patriotism and fiery invective against the enemies of America. His father had been a Union soldier, and OLLIE JAMES loved this country as a man loves his mother.

I never dreamed but that OLLIE JAMES had many years of service left to his country. His splendid physique seemed to insure him long life; but the reaper, death, so busy in this body, had marked him for its own. It had not seemed possible that OLLIE JAMES could die. His physical power seemed proof against death, but the cord of life snaps so easily. Truly—

The leaves of the oak and the willow shall fade,
Be scattered around, and together be laid;
And the old and the young, and the low and the high,
Shall moulder to dust, and together shall lie.

Thus it has ever been; thus it will ever be. And so the great soul winged its flight to those mysterious, unknown realms. It was as if the strong oak of the forest had fallen before its time, and with its fall fell the hopes and aspirations of his friends for yet greater honors for him. For OLLIE JAMES bound to him friends with hoops of steel—not merely everyday friends but the kind who will go through stress and trouble and fight for him.

It was not so much as a politician and statesman that one was drawn to OLLIE JAMES, but it was that something about him that made one feel he was an unusual kind of friend; that he was a brother man, a heart man. He needed a large body to hold his great heart. No one was ever turned from him when needing help, no poor soul without encouragement.

Brave, generous, noble-hearted OLLIE JAMES! We will not see your like again. Sad to us that you should be called to leave this Senate before the full fruition of your life work; and yet such spirits as yours live on in the hearts of those they have befriended. The best epitaph that can be written of any man is that men and women and children are a little happier because he has lived; that the world is a little better for his life. That could truly be written above the grave of OLLIE JAMES. That is enough to say of anyone.

As Sunday after Sunday we are meeting here to pay our humble tribute to those who have preceded us on "the long, long trail a-winding," may we not gather a better inspiration for our own lives; a firmer resolve so to live and to act toward one another that we shall be of those who are missed by humanity when the great summons shall come? It is not far away for any of us.

'Tis the wink of an eye, 'tis the draught of a breath,
From the blossom of health to the paleness of death,
From the gilded saloon to the bier and the shroud—
O why should the spirit of mortal be proud?

Mr. THOMAS. Mr. President, I first met OLLIE JAMES at the Chicago convention of 1896. He was a large, ungainly giant of a young man, ill-attired and very self-conscious. The Kentucky delegation occupied seats directly in front of that to which I belonged. Mr. JAMES had been chosen chairman of the delegation; a notable distinction for a young and inexperienced leader. It had been instructed to vote as a unit, the majority at all times to determine what that vote should be. The delegation was a very turbulent one. Free coinage of silver was the issue. It had enthusiastic friends and a few determined enemies in Kentucky, and both sides were represented in the delegation, with silver in the majority. The minority, led by the redoubtable Col. Halderman, never failed to assert itself as occasion required—protesting, denouncing, and defiant. But the chairman, always self-controlled, polled his delegation, announced the rule, and cast the vote, unperturbed by the outcries of his outraged but helpless colleagues. Our acquaintance, beginning amid such dramatic environment, soon ripened into a close friendship, which continued without interruption to the end. I visited Washington frequently during Senator JAMES's career as a Member of the House, when he always made me welcome. He entered the Senate very shortly after I did, and from that time onward our relations were very close indeed.

Senator JAMES was an old-fashioned, uncompromising Democrat. His party faith was to him a sort of religion. Democracy was the only true gospel, and Jefferson and Jackson its great apostles. What his party did was right; what others did was wrong. Party disloyalty was high treason. The candidate having been chosen and the platform announced, every man should fall into line and obey the orders of the high command. To do otherwise at any time or under any circumstances was to him unthinkable. Honest, straightforward, and courageous

himself, he could neither understand nor forgive in any man the offense of repudiating his party platform or opposing his party nominees, whatever the reasons. To him these were anathema.

But such things mattered not at all in his daily intercourse with men. His friends were many and were of all political creeds. These he bound to him with hooks of steel. And he was a welcome guest and companion everywhere, for he was kindly, lovable, brilliant, and entertaining.

Senator JAMES was gifted beyond most men of his generation with the great power of persuasive eloquence. He was a man of fine attainments. Nature had endowed him with a commanding presence, a great voice, rich in tones of harmony, and a marvelous faculty of expression. He was not a student, yet one of the best educated men of his time. He possessed fine intellectual faculties. His active mind easily absorbed and always retained information. His knowledge of men and of events, of political history, and of current affairs was remarkable for one who apparently devoted so little time to their contemplation.

When I returned to Washington a year ago after a somewhat extended illness, one of the first of my colleagues to welcome me was Senator JAMES. He was apparently in perfect health. I congratulated him upon his immunity from the ills and humors to which less rugged mortals were subject. To my great surprise he replied that he was far from well, and had for some time been in the care of his physician. It was difficult to believe him. But shortly afterwards his very dear friend, the late Senator Hughes, passed away. From the shock of this great grief he never fully recovered, and I have no doubt that it hastened the development of his malady. A few days afterwards he addressed the Senate upon the conduct of the war by way of reply to a speech of the senior Senator from Oregon upon the same subject. This address was characterized by all the earnestness and eloquence of the man. No listener could have suspected the speaker of illness, nor yet of waning physical or mental vigor. But he sustained himself to the close of his speech only by the most painful and prodigious effort, and retired to the cloakroom completely exhausted. He appeared in the Senate Chamber only two or three times thereafter.

He died at a critical moment in public affairs. The allied advance was in full swing, but the German power was as yet unimpaired. New armies were gathering in America, and the Nation was preparing for its mightiest effort. His services and his influence were needed as they never had been.

The grim summons could not have come more inopportunely for him nor for his country. But matters like these lie beyond the power of human regulation and must be borne because they can not be avoided. And since man is ordained to die, the life of no single individual, however exalted, is indispensable to the welfare of the race. Society adjusts itself to the inevitable, and the inexorable processes of time are seemingly undisturbed by the tragedies of life or the needs of statecraft.

He was a typical son of Kentucky. There he was born and there he always lived. For him there was no other landscape so green, no skies nor sunshine so winsome, no people so lovable. It was the one country of the earth, and Kentucky the fairest jewel in her crown of Commonwealths. He loved her with the same passionate devotion which the Frenchman lavishes upon the land of the tricolor and the lilies. And she returned his affection by crowning him with her highest honors. He served her well, added his name to the long and shining list of her illustrious sons, and sleeps peacefully in the sheltering embrace of her generous bosom. May the grass upon his grave be green while time endures.

Mr. LEWIS. Mr. President, what an interesting exception we have lately made, sir, when the Members of this body and our colleagues of the House adopted the holy Sabbath as the day when men shall assemble in Congress to speak there the feelings of the heart as to one who is dead. And yet, sir, if there is anything that can suggest to the mind that there is no death, it must be tributes such as we have heard falling from the lips of those who speak only as the heart feeleth. For if there were death in the sense we are sometimes taught to appreciate that word, men could not live in the souls of those who love them like some inspired spirit breathing its own incense of beauty and their fragrance of life—aye, to the last moment of memory. That we should on the Sabbath turn our worship a little while to those who personified in their existence that which is meant by religion is a beauteous adoption on the part of these, sir, who represent this assembly.

Yet, sir, our meeting here speaks the fact that great men, great as has been described by these eminent orators in merit of mind, in character of life, in virtue of public integrity have died. Truly, sir—

> The boast of heraldry, the pomp of power,
> And all that beauty, all that wealth, e'er gave,
> Await alike the inevitable hour.
> The paths of glory lead but to the grave.

I heard the Senator from Iowa [Mr. KENYON] Republican so called in the political division, the eminent Senator the colleague of Senator JAMES, Senator BECKHAM, Democrat, each pour out his tribute to the splendid State that gave birth to these two great men whose characteristics we commemorate this day, Senator STONE, of Missouri, and Senator JAMES, of Kentucky. Sometimes, sir, I am moved to the fact that as there is a certain soil which may produce a celestial bloom in floral growth and others that impart massive strength to forest tree, so, too, sir, there are certain places in regions of earth that produce men in different flavor and varying standards from that which cometh up from other soil.

Kentucky. Her every mountain preaches strength, and presents something of a titanic aspect. Her hills huddle themselves together in something of glory, the furze of autumn and the flowers of spring sparkle in original beauty. In Kentucky every stream ripples through a sacred soil, while the shimmering light falling on her grasses makes radiant that which the world apostrophizes as the bluegrass of Kentucky.

Natural, indeed, that from such a State there should come forth such spirits that embody within themselves characteristics something apart, indeed wholly different, from that which may be possessed by men elsewhere. Though we will not say of all that they were in all superior in their primal endowments, yet, sir, by comparison they were never failing in their virtues. Kentucky! There was Clay, Crittenden, Marshall, Beck, and now James. How their names loom before us and rise as something ascending on the mountain steps and presenting to us truly the visages of greatness.

What a startling partiality this great State presents, where there seems to come nothing from her but that which shall be called wonderful!

Mr. President, I am not a qualified witness to the virtues of the noble dead we celebrate. My contribution can not be regarded impartial. I can not speak of the statesman OLLIE M. JAMES in the abstract analysis that these distinguished gentlemen have shaped, framed, and clothed him. I knew him intimately as a close, dear, personal friend; as such I loved him. In the House the distinguished Member from Alabama, Hon. THOMAS HEFLIN, was probably the closest, apart from members of the delegation of Kentucky, of any of his colleagues in that branch. The eminent Senator from Colorado, Mr. THOMAS, in his epic contribution but a moment past referred to the closeness that Senator JAMES bore to Senator Hughes of New Jersey. Pardon me if I add, sir, that early conditions of acquaintance drew me within that circle as one of the few to whom I think Senator JAMES ofttimes came with those little personal matters which mark the man as human, apart from the official and the statesman. I therefore knew him, sir, as a man, as did many of you who sit about me on this sacred occasion. He learned through the vicissitudes of life and the arduous struggles of one who had to combat all obstacles from men to feel that only within himself was there the true resource of conquest and victory. He had not the aspirations to acquire riches with which he might purchase immunity from the world's struggles and exemptions from its burdens or its miseries. He sought not that social exclusiveness that might look down with disdain upon his fellow men in lesser spheres of life. Nor, sir, did he strive for heights of renown in that thing which we call statesmanship in office that he might glorify himself in something of flashing radiance above his fellows.

To him ever was the single object in whatever avenue he thought and whatever path he walked that all his efforts might lead to the aid of his fellow men. He recognized that all to be done and achieved was within himself. His creed was that of Henley:

> It matters not how strait the gate,
> How charged with punishment the scroll;
> I am the master of my fate,
> I am the captain of my soul.

This text, sir, guided him. This it may have been that charmed and allured him to toil and undertaking, and by that standard he achieved. That standard, sir, he applied to all those about him. He ever felt that men should be natural and true to themselves as men. That men should look within themselves to find their standards and from such behold what should be the guide of their conduct. There was not a man he knew, however humble, to whom he would not extend his

hand. There was not one in distress who could not look to him for refuge. He did not know how not to be a friend.

Can we forget instances here in this body, when an humble Armenian whom no one knew, who seemed to have been friendless in the invention that he thought he had conceived that could contribute something of welfare to our Nation? There were few who had confidence in the invention; but Senator JAMES, as chairman then of the Committee on Patents, though smirked at and smiled at by those of his beloved friends who understood his credulity and how easily he was impressed with any cry of distress from any quarter, nevertheless, sir, was found here pressing the claim of that obscure man for a hearing. This man was so situated that he could contribute to Senator JAMES nothing personally or politically. Senator JAMES did not know whether his petitioner could contribute anything of material benefit to the Government, but the advocacy by Senator JAMES was an evidence, sir, of a nature so boundless in all its generosity, so large in all its sacrifices, so gentle in its mercies that he could turn his great office and solicit at the hands of his legislative comrades the highest service to be given to any mankind. This he would have done anywhere for anyone, however high or low the pleading mortal who asked for a hearing. I saw nothing in all his life to me so significant of the generous soul that beat through all his life as this exhibition he gave us of his solicitude in behalf of a helpless man, without means and without influence.

Mr. President, it was as a statesman that these his colleagues could well turn their attention and address their tribute. They have done so with beauty and power. Kentucky, sir, was a State which was cradled in all the swinging flame that flashed to and fro in the awful strife between the States of this Union.

There was not a village within her sacred precinct that was not accursed with the differences by which brothers oftentimes faced each other with frowns, and not infrequently with swords, on the battle field. Kentucky was removed in a great degree from many of the extended questions and widening problems that agitated and agonized the great general land—particularly in the great West, in which I live. Yet it is interesting to observe that when Mr. JAMES came into public life from Kentucky he extended his mind into the broad area of the needs of all humankind. He declined to be narrowed to the mere demands of his dear hills and sweet valleys, and while as the distinguished Senators who have just addressed us have imparted to him the attribute of faithful party affiliation, he was a Democrat who aspired only that he might represent the principles of the great democracy of man as he understood it. Yet, Mr. President, let justice be done to him, and that is to say that it was ever the great breadth and sweep of his whole country that engaged his attention and solicited his services and to which he dedicated his daily life.

There was never a grievance in any part of America that was not his. There was not a wrong done in a State that he did not feel. There was not a suffering of humankind in the circle of this whole Republic that it was not his trust to remedy. There was not suffering about him even of the humblest of mankind that did not beat against his heart and surge in every vein of his existence. For the removing of all this he was a statesman. It was to remedy the wrongs of his country; it was to do justice to his fellow men he spoke, he served, he lived.

Sir, it is said he was an orator. Yes; and truly Senators may refer to the conventions in which he exhibited such marvelous skill and the display of such talent, readily to be envied by any mortal. But I beseech you for a second to dwell on one passing thought. Senator JAMES was truly the follower and supporter of Hon. CHAMP CLARK, of Missouri, for the Presidency. He presided over the convention at Baltimore city with all the solicitude that a friend could have. Yet so impartial and so just was he there that he commended himself to the followers of the successful rival, Mr. Wilson; and four years thereafter he was seen to be the chairman of the convention that was known to be for the then successful President, Woodrow Wilson. So just was he in all his rulings, so impartial in all his career, so manifestly true to all, that there was no one to lift a voice against his elevation to the same authority, because it was not to men as persons he rendered his devotion but to principle, and whoever carried the colors of that principle of right and justice it was under that he marched and for that he drew his sword and blew his golden trumpet.

Thus it was he became such an orator. He spoke from his heart. He echoed from his soul. He cried out to mankind, and, sir, he suffered the wrongs he abjured and condemned when suffered by others. He felt hurt in the pains wounding others, and he lived the hopes that he prayed for in behalf of his neighbors and his fellow citizens. Sir, thus it was he was the manner of man we have listened to, 47 years of age, hardly, sir, at the threshold of what begins a public career of greatness to other men, when he was summoned to celestial service. Truly, as Byron described Sheridan:

> Fruits of a genial morn and glorious noon,
> The deathless part of him who died too soon.

But, Mr. President, I decline to bear that solemn sadness that pervades many of my friends who have spoken so beautifully of the departed one. I have seen a candle burn down to its socket. I have seen its light go out. I have seen a little remnant of oil that marked where once a living flame burned and glowed, and I was saddened.

I have seen men come to public life akin to that candle and burn their lives out so long and so low that none could see the reflection of the flame where once it flashed, nor could behold the beauty which was woven by the threads of silken sweetness.

Here is a man who through his gifts and by the permission of Heaven was allowed to climb the mountains of greatness as high as men can usually ascend, and just at the pinnacle—indeed, at the top—with the glowing sun of success radiating about his head, he is beckoned to and ascends heavenward, carrying with him, sir, the aureole of his reputation, the love of every friend, the admiration of man, and added to these the fresh memory of his splendid achievements to praise before the world as the pride of Kentucky and the glory of the United States Senate. As such he becomes the idol of his State and the example to ambition to emulate as a standard of a Christian and a famous man. What could Heaven give man greater than this to pass on to his family, to transmit to his generation, and to establish in praise and in commemoration in ages that shall remember him?

Sir, that I mourn my friend it is true; that I deplore his loss, yes; because I saw the sweet and gentle life which he lived among those who loved him; but, sir, I can not but say that as death must come and as there must be the end of the journey to us all, I would to heaven that those I love could have so sweet a fate, that when they go out they could go in such a golden glow as gleamed upon his existence and lighted his way to heaven. Truly of him we may say: "A great tree has fallen in the forest, and with its crash the gates of heaven opened and angels came forth proclaiming to the Master, 'There cometh one to us whom we now receive for that we loved him long and dearly.'"

Mr. MARTIN of Kentucky. Mr. President, the associates and colleagues in this body of him whose memory we have here gathered to honor have so feelingly paid him tribute, and have with rare and choice expression so accurately portrayed those well-known, outstanding traits, attainments, and characteristics which gave to OLLIE M. JAMES his fame and endeared him to his friends, that I feel as impotent to add anything to their eulogies as I am powerless to do justice to the life and character of this most remarkable man.

Yet I avail myself of the privilege on this memorial occasion of recalling to the Senate some incidents of his career showing what manner of man he was and of laying upon his grave as my own, and the tribute of a grieving, true-hearted Kentucky constituency, a wreath of kindly memories which he so well deserved.

From the beginning of his political history until its close by death at Johns Hopkins Hospital on the 28th day of August last, Senator OLLIE M. JAMES was constantly and conspicuously in the public eye—first in his congressional district, then in his native State, and finally as a figure of national renown.

For 15 years he was the undisputed, unquestioned, recognized leader of his State's Democracy. His leadership was founded upon his own power, his unique personality, his unparalleled popularity. He ignored machine politicians and the methods of machine politics and was never embroiled in the factional differences which so often divided his party in the State. He was indifferent as to whether the party organization was under the control of friend or foe. With the consciousness of his power and of his predominating influence with the masses, who recognized in him an aggressive exponent of the principles in which they inherently believed, he was content to trust his political fate and fortunes to their keeping.

Early in his career politicians found that he was too strong to be stayed; aspiring ones knew that when he wanted place he got it. They dared not oppose him, and practically without interference he was returned time after time to the National House of Representatives, then elected to the Senate by the general assembly, and again, while in the very throes of death, he was chosen, with the certainty of election, as the nominee of his party for the term beginning March 4 next. During his first term in Congress, when in his thirty-second year, he took a commanding place; he was well informed on principles of gov-

ernment as well as those of his party, whose tenets and faith he advocated and defended valorously on all occasions.

In legislative action he was guided by and strictly adhered to what he considered the limitations of the Constitution and always stoutly defended his conception of the Democratic doctrine of State rights. Consistently with his belief he opposed vigorously Federal legislation on both the liquor question and woman suffrage. He regarded such action as an invasion of State sovereignty. Despite the entreaties and persuasions of close political and personal friends, steadfastly and courageously he maintained his convictions on these subjects. While he revered and defended the mandates of the Constitution, he was not reactionary, and had no patience with those who shielded such tendencies behind abstruse technicalities of constitutional construction.

This is shown by a speech he made in the Sixty-first Congress, defending a bill restricting gambling on cotton futures, in which he said:

> I have been here a number of years now and during that time I have seen many a knight of the Constitution come galloping into the lists gallantly, bearing himself with skill and ease, but I have during my service here seen not one of these knights of the Constitution, with visor down and lance at rest, come into the lists to do battle for the man who sows the grain or reaps the harvest or digs the ditch.

Mr. President, there are preserved in the records of the House and Senate as a monument to his talent and genius, as evidence of his patriotic solicitude for the welfare of his native land, numberless utterances, profound in thought, striking in style, eloquent in appeal. The last of these was made on this floor one year ago in this month, when, sensing the hideous magnitude of the war's meaning to the United States, and quickly realizing the burden that was to rest upon the shoulders of the President, he plead for support of his policies and decried criticism, then so prevalent, of the conduct of the war; he reminded the country that there were in the days of the American Revolution men who tried to displace George Washington, though he afterwards waved in triumph the conquered sword of Cornwallis; that there were critics in Lincoln's time whose policies, if adopted, would have ended in disruption of the Union instead of a triumphal march of the American Army down Pennsylvania Avenue. With confidence that Woodrow Wilson, if unheckled and unannoyed, would measure up to his great task, he predicted in that speech that—

> The time will come in the providence of God when our victorious Army, with America back of it, will come back home in triumph and march down this same great Avenue, panoplied with the flowers and love and tears and pride of all America in review before Woodrow Wilson, the man whom not only America but all the civilized world trusts. Liberty will be safe and Americanism will be secure.

His judgment was justified, his prediction has come true. Before the snows of a single winter had fallen on his new-made grave the armistice was signed; peace had come. "The war drum throbs no longer; the battle flags are furled." That victorious Army is coming back home, and before this month shall have passed will march triumphantly down this Avenue in review before the President of this great Republic, whom, in the eventful and crucial days of preparation for war, when he was beset by pacifists, pro-Germans, and critics, OLLIE M. JAMES, with unsurpassed patriotism, supported, defended, upheld, and encouraged.

Mr. President, no tribute to OLLIE M. JAMES would be complete, no history of him could do his memory justice without reference to his honor, his honesty, and his intensely keen sense of the obligation of a Senator and public servant.

During the last years of his life his services were sought in two important legal cases which would have paid him a fabulous sum—much more than lawyers of acknowledged ability could earn in a lifetime. Yet he refused to accept employment in either of them, for he believed that it was not his legal ability which the litigants sought, but that they were seeking his services because of his political prominence. In the summer of 1917 he had a contract with the Northwestern Chautauqua Association, by the terms of which he was to receive the sum of $10,000 as a platform speaker for that association during the summer of that year. Conceiving that his duty required his attendance upon the extra session of Congress which was called, he canceled the engagement and gave his time to his congressional duties.

His intellect, Mr. President, was one of marvelous native power; his lack of collegiate education was largely compensated by the opportunities which he had and embraced of acquiring knowledge from the school of experience. He was most noted for his gift of oratory; but he did not owe his triumphs so much to this as he did to an extraordinary mind, to steady work, and the impression he made on others that he was a man of ability. He was wonderfully adept in his power to engage and hold the attention of great throngs, and to this was due largely his great success in presiding over and controlling two great turbulent Democratic national conventions. His oratory was not the construction of phraseology into the "business" style, but as a speechmaker he was distinctly southern, a master of flowery language, with the taste and tact not to employ it beyond effective limits. Old-fashioned it may be, but in the case of OLLIE M. JAMES no man can say that he ever listened to one of his speeches all the way through and never got a single thrill out of it.

Mr. President, OLLIE JAMES was a brave fighter, who never lost a battle and never surrendered except to the malevolent final foe; he was, above all, a man and a gentleman, in whose soul burned brightly the light of chivalric courtesy and heartfelt consideration for others.

These qualities to Kentuckians, who hate a coward and to whom it means something precious and sacred to be a gentleman, appealed with such compelling force as to make of him the idol of his people, the most popular and admired man of his day.

The late distinguished Senator from Kentucky, Mr. President, has yielded the floor, never again to be heard in this Chamber. Kentucky is proud of his record here; the Nation will never forget him. We who knew him personally will always hold his memory in sacred and deep affection.

As a part of my remarks, Mr. President, I desire to read into the RECORD the resolutions adopted by the Democratic State central and executive committees of Kentucky, which met to select a nominee to succeed Senator JAMES in this body:

> In the death of Senator OLLIE M. JAMES democracy has lost a great and gifted champion, the Senate an acknowledged leader of approved skill, the President of the United States a chosen champion and sponsor, and the people of Kentucky an idol son, whom she regarded, not without cause, with pride and affection.
>
> Stricken in the meridian of his splendid manhood, his short life was crowded with splendid achievement. For 20 years a representative of the State in every national convention, twice he was chosen to preside over deliberations called to select his party's champion for the highest office in the civilized world. For five successive terms, without opposition, he represented his district in the Federal Congress, and upon his voluntary retirement from that post of honor he accepted a higher and more coveted position. From the hour of his appearance in the Senate of the United States he served with that distinction for which his ripened experience and brilliant talents so well fitted him.
>
> His death at this hour is regretted not by a party alone, but by a Commonwealth and by a Nation.
>
> Loyal, ardent, patriotic, brilliant orator, accomplished statesman, "though dead he still speaketh." His memory will be enshrined in the hearts of Kentuckians long after monuments of bronze or marble erected above his ashes shall have ceased to defy "the wasting tooth of time."

Mr. President, as a further mark of respect to the memory of the late distinguished Senator from Missouri and to the memory of the late distinguished Senator from Kentucky, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Monday, February 3, 1919, at 12 o'clock meridian.

Welcome and Leave-Taking of Members of Congress as They Come and Go in the Highest Legislative Body in the World.

EXTENSION OF REMARKS

OF

HON. DAVID A. HOLLINGSWORTH,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 10, 1918.

Mr. HOLLINGSWORTH. Mr. Speaker, I have not been much impressed with the congressional leave-taking usually incident to the retirement of Members as they come and go in this the greatest popular legislative body in the world. The lure and fascination of congressional life added to its honors and the opportunities it affords for great usefulness are generally sufficient to induce Members to wish to prolong their term of service. Few Members, indeed, whether they be distinctive leaders or of the average type, retire without some qualms of regret, unless it be to cross over, as many do, to the other end of the Capitol or possibly, as at least three Members from my own State, now called the Modern Mother of Presidents, have done in recent years, gone to the great white mansion at the other end of Pennsylvania Avenue. I should not expect full credence if I claimed otherwise or pretended to be indifferent, but, nevertheless, my constituents know and I trust my friends here may believe that my retirement to private life is of my own free will and accord. Early in my present term I announced my purpose to follow a

well-established third-term rule in my district, and adherence to this purpose has been to me quite a source of satisfaction. Security leagues, of which we have recently heard much and, I think, just complaint on the floor of the House, have not had any terrors for me. If critical of my official acts, they have not been offensive and have not even brought to my attention their self-conceived patriotic classification of the membership of the House. I have never seen or, if I did, never read one of their intended-to-be fear-inspiring documents of this kind.

Self-sufficient individuals known as lobbyists have also been considerate, have uniformly treated me with respectful courtesy, assuming, evidently and very properly, that not being a candidate for reelection I was immune from the blandishment, abuse, and other questionable influences to which public men are too often subjected. I have been permitted in a quiet way to do my own thinking. My votes have not been vitiated by any influence other than my own desire to be right.

Even when my own party has been in the majority I have not been of the rubber-stamp variety.

Orthodox in my Republicanism, I have not always been lamblike in my following of would-be party leaders.

Cherishing to an extent my own individuality, I have recognized the same right in others and have not sought to unduly influence my fellow Members to my way of thinking.

During two of my terms in Congress my party has been in the minority, as it is now, and yet I have been assigned congenial committee work sufficient to occupy my time. A crumb or two of voluntary nonpartisan official patronage also came my way, one of my best known Republican constituents having been appointed recently to an important post-office inspectorship in a distant State. In fact, I have had but little cause of complaint, and it has been difficult for me not to believe in the good faith and good intentions of the membership of both parties as I have met and associated with them in this House. I have tried on my part to avoid unjust criticism or faultfinding. Especially is this true of the present Congress, in which both parties, so far as I know, although at times differing in nonessentials, have in all real war-winning measures acted as one, so that, now that victory has come, all may claim to share in the credit and devoutly thank God and the American Army that there is glory enough for all. If any man, big or little, gets more than his share of the limelight glory of the present, he may be sure corresponding darker days of shadow will follow. Time is sure to thwart pretense and is a great leveler of human ambitions. And if any Members have faltered in patriotic purpose, as charged by the Security League, or any have attempted to exploit their own importance by self-wrapping themselves in the American flag and vainly imagining themselves better than their fellow Members, it is a good time to forget them, leave them to their own vanity and individual folly. They are harmless.

I trust, therefore, in retiring to private life, returning to my law office, where I have pleasurably, if not profitably, spent much of my life, I may take with me the conscious good will and respect of every Member of the House on either side of the Chamber, and in return I give assurance of my own profound regard and appreciation of all. I have felt honored in being permitted to associate with such a splendid body of representatives of the people, fearless as they have been in judgment, honest in conviction, and true as the stars to duty and the best interests of our common country.

It is an inspiring thought and gives one an individual distinction likely to be cherished to the end of time.

I count myself fortunate—honored, I may say, beyond my deserts—in having had a part, however humble, in the deliberations of this body, in the consideration and solution of the great, overwhelming problems which have come to the Sixty-fifth Congress and caused it to be known, as it will be in history, as the war Congress of the ages.

Without any touch of vanity or reflection on other districts, I claim to represent one of more than ordinary interest and historic fame, certainly one of the foremost in the great State of Ohio.

In early days it was called the "reservoir of genius," noted far and near for the fame of its public men and its private citizenship.

Let me briefly call the roll of my own little home town of Cadiz, with less than 2,000 population by the last Federal census:

Edwin M. Stanton, the great war Secretary of Lincoln's Cabinet, commenced the practice of law here and was elected and served as county prosecuting attorney before going to his larger fields of acknowledged leadership.

The far-famed Bishop Simpson, of the Methodist Episcopal Church, known throughout the world as a most wonderful orator, said by Lincoln to have been unexcelled in history, was born here and partially educated by private tutors of the town. Afterwards, when the whole Nation was in mourning, he officiated at the Lincoln obsequies in Springfield.

John A. Bingham, our most conspicuous citizen, distinguished as the "silver-tongued orator" in Congress during the Civil War, a veritable pillar of Lincoln's administration, judge advocate at the trial of the conspirators who planned his assassination, chairman of the Judiciary Committee of the House on the impeachment of President Johnson, and in charge of his trial before the United States Senate, where he delivered the final plea for loyalty to American institutions, and afterwards appointed minister plenipotentiary and ambassador extraordinary to Japan, where he did much to open up that land of the morning to the sunlight of modern civilization.

Maj. Gen. George Armstrong Custer, Grant's dashing cavalry leader and personal attendant at the final scenes at Appomattox, and whose tragic death in 1876 at the Custer massacre startled the whole civilized world, was an appointee of Mr. Bingham to the Military Academy at West Point.

Other names of almost equal prominence might be mentioned, but an extended list might seem like vanity to those not acquainted with the good little town where most of my life has been spent and where I expect to end my days.

Go into Belmont County and the same high-class citizenship appears:

Benjamin Lundy, of St. Clairsville, early organizer of the abolition movement. He knew every station and conductor on the underground railroad in slavery days. He was a sort of McAdoo director general of the line.

Charles Hammond, lawyer, editorial writer of national fame, and statesman.

Wilson Shannon, twice governor of Ohio, minister to Mexico, Territorial governor of Kansas, Congressman, able lawyer, born and long a resident in the county.

William Windom, a native, Secretary of the Treasury and twice United States Senator from a Western State.

Benjamin Ruggles, United States Senator.

J. M. Thoburn, bishop of the Methodist Episcopal Church.

William Dean Howell, native and to the manner born, known to the world perhaps best as America's leading writer of fiction.

Congressmen, judges, and high officials galore, "too numerous to mention," but readily recalled as prominent members of the early families of Danfords, Kennons, Cowens, Carrolls, and many others of possibly greater eminence.

The county was for a time the center of civilization for the Northwest Territory, the town of St. Clairsville being named for Gov. St. Clair, and being the headquarters of pioneer life and activity.

In Carroll County they point with just pride to the old Dan McCook homestead, where he and his sturdy sons wrought and gave character to public thought before they became known to fame during the Civil War as the "tribe of Dan of the Fighting McCooks." The county is small in area and was late in organization, yet it counts among its early residents such citizens as Gov. Potts; Mr. Archbold, of Standard Oil Co. fame; Maj. Gen. William Crozier; Gen. and Congressman Ephraim R. Eckley; and others of like distinction.

From Columbiana County came another branch of the "Fighting McCooks," the "Tribe of John." Together this noted family of a dozen or more high officials gave to the district a most enviable military reputation, supplementing, seemingly in a local way, the great labors of Secretary of War Stanton, and leaving an example of heroism which young men in the present day have not been slow to follow. Headed by a McCook, a direct descendant, who has since made the supreme sacrifice on the fields of France, they began rushing to the colors as volunteers as soon as war was declared, without waiting for the slow-moving and, in the minds of some, doubtful processes of the selective-draft system.

And in this connection it ought also to be said that the McCooks were not alone soldiers of distinction, but they occupied high civic positions and were by nature and training high-toned gentlemen, educated, refined, and quite capable, as they did, of giving caste and dignity to their local surroundings.

Columbiana County was also rich in other respects, adding much to the fame and distinction of this so-called "reservoir of genius." The head and front of organized abolitionism centered at Salem, and to this day its citizens point with a degree of pride to a monument erected at the grave of an early enthusiast, Edwin Cappoct, who, leaving Salem, joined John Brown at Harpers Ferry and went with him to the scaffold at Charleston, a martyr to conscience and love of his fellow men.

The old town hall of Salem, still standing, was as famous in the days of antislavery agitation as Faneuil Hall at Boston in Revolutionary times. On its plain, wide platform eloquent and touching appeals on behalf of the slave were made by William

Lloyd Garrison, Wendell Phillips, Abby Kelly Foster, Parker Pillsbury, Horace Mann, Fred Douglass, Elizabeth Cady Stanton, Lucretia Mott, Oliver Lovejoy, Joshua R. Giddings, Salmon P. Chase, Ralph Waldo Emerson, Benjamin F. Wade, James A. Garfield, and many others, magnificent men and women, whose souls burned with a desire to free the bondman. It was the beginning, the torch of liberty, starting a conflagration in the world destined in after years to end in the universal freedom of mankind, such as is now presaged by the great victory just won over autocracy and imperialism.

Columbiana County is also famous in other respects. It was the high-water mark of the Southern Confederacy, John Morgan's raid having ended in his surrender within its borders and his troopers being sent to the Ohio Penitentiary.

Its citizenship in early days and now was and is of a very high order, impossible of detailed mention in reasonable limits without obvious omissions.

I mention but one, feeling sure no other citizen at this day will object to not being associated with him in name. His old homestead is one of the show places in Lisbon, and the prejudice once existing against him, especially among his neighbors and those who knew him personally, has long since oozed out of local minds. Brilliant, honest, determined even when wrong, Clement L. Vallandigham certainly added to the notoriety if not the fame of this so-called "reservoir of genius."

Lincoln, wiser, it may be thought, than some recent war officials, commuted a prison sentence against him for disloyalty to banishment among his friends, but this did not deter a great political party from nominating him for governor in the darkest hours of the war for the Union. The contrast between that day and this, between the action of the minority party then and now, is worthy of profound thought and study.

Coming to Jefferson County, the only remaining county in the district and the home of my successor to be—a most worthy business man, for whom I bespeak merited consideration at the hands of the Sixty-sixth Congress—I find the same difficulty as in Columbiana in naming, on account of their numbers, its conspicuously worthy citizens.

Besides the Wilsons, father and grandfather of the President, Edwin M. Stanton, born in Steubenville; United States Senator Tappan; the "Fighting McCooks"; Lieut. Gov. Richards; and Congressmen Updegraff and Gill, who have given the county much distinction, there are really many other names of substantial and able citizens, too many for classification, who have been or are now shedding renown upon the county and giving to it unusual importance as a business and social center. The city of Steubenville, the largest in the district, has been made attractive to home seekers, and men and families of wealth, culture, and business attainments have moved from other sections and by their association and refining influences have enriched its citizenship, already of a high order.

No city in the district has done more to justify and vindicate the sobriquet "reservoir of genius" than Steubenville, picturesque gem, it may be said, of the upper Ohio Valley.

This picture, Mr. Speaker and fellow Members, is not overdrawn.

I would not, however, have it understood that the importance of this section of Ohio has decreased in recent years. On the contrary, it has moved forward along all the lines of human progress and development. Education has become more general, good citizenship among the masses is held in higher esteem, and the rights of the individual man are more sacredly regarded.

Freedom and liberty of conscience have given to the people, the whole people, an uplift and dignity in marked contrast with earlier days when the Republic was young.

Industrial activity has advanced with marvelous rapidity, making of the district a veritable center of business life and progress.

It is the ceramic center of the universe, producing more pottery than any other like area in the world. In manufacture, mining, agriculture, grazing, and other business pursuits it claims unsurpassed distinction.

Intellectually, socially, and religiously its citizenship yields the palm to none. If occasion required, the district could, no doubt, easily furnish on short notice a full complement of well-equipped Congressmen, judges, governors, Cabinet officers, and even Presidents of the type of Hayes, Garfield, McKinley, and Taft.

Is it any wonder, therefore, that I am proud of my constituency? Is it any wonder that I am grateful for the opportunity I have had of representing them in this great war Congress? I ask no higher honor.

In taking leave of such a constituency and of the pleasant associations formed here in Congress I confess that as the time approaches regrets arise unbidden, but as the war is ended and permanent peace in sight I fully realize that my going or staying can not have any appreciable effect on the great upward and onward movements of mankind already forecasted and sure to follow the peace deliberations at Versailles.

The future of the American Republic, yea, of the whole world, is to me resonte with hope. Earth's millennial glory may dawn upon the world as suddenly as the war came and thus end for at least a thousand years the misery and wretchedness of mankind.

It is due, however, in parting that I make brief report of my stewardship to those at home whom I have tried to serve and to those in official life with whom I have had pleasant relations during my service in Congress.

Before the United States entered the conflict there was much and sharp controversy on the so-called subject of preparedness. Alarmists on the floor of the House and among the people expressed fears of an attack from one or the other of the belligerent powers, whichever one might be victor at the close of the war.

Serious-minded advocates divided on the subject.

Defining my own position on February 12, 1916, over a year before the United States was forced by German aggression to enter the war, in a public address at the Union League, in Philadelphia, printed in the CONGRESSIONAL RECORD on February 23, I used this language:

"A Nation of 100,000,000 of freemen, with unlimited resources, situated between two ocean barriers, and these barriers equipped as they are, or should be, with adequate coast fortifications, mines, submarines and submarine destroyers, aircraft, good roads, as in Germany, connecting such ocean barriers and thus furnishing ready means of transportation for an army from one point of danger to another on inside lines, need not, in a just cause, fear a combined world in arms, even if our Nation does not have a Navy 'the strongest and most powerful in the world,' as suggested by an eminent but somewhat belated militarist.

"We are not an aggressive people; our real permanent defense must always be in the justice, sincerity, and fair dealing of our Government with all the world.

"A patriotic, God-fearing, level-headed, just citizenship is needed at this hour in America in both official and private life. The teachings of history, instead of hysteria, should guide the Nation, uniformly successful as it has been in all its wars, two with Great Britain, one with Spain, and another with Mexico.

"Meantime the United States and its citizens, at peace among themselves and with all nations, owe duties to the world, to the belligerents, and to mankind—duties as positive and imperative and as delicate as those which confronted Abraham Lincoln in 1861, when Fort Sumter was fired upon and the smoldering fires of rebellion broke forth in all their fury. The warning of Washington against foreign entanglements must not be forgotten. Absolute neutrality with honor must be the American watchword. American citizenship at home or on the high seas, or anywhere else on earth where they have a right to live, must be respected. International rights and the broad claims of humanity must not be jeopardized or brushed aside lightly by any of the belligerent powers, and the Washington Government, in contending for these safeguards, must be backed to the limit so long as it in good faith tries to deal fairly, justly, and impartially with all the warring nations. Political scheming in an hour like this, in high or low places, is little less than treason to the Republic.

"A just and brave people can never be permanently conquered in this world, and, in my judgment, those who from timid fear or from honest judgment, or, worse, a contractor's ugly greed, seek in advance to turn this country into a vast continental military camp and our harbors into mere ports of entry for big battleships, on the theory only of preparing for war possibilities, are making a mistake.

"A nation situated as we are, inland between two great oceans, with limitless resources and a patriotic, God-fearing, just citizenship, composite mixture of the best races of mankind, can in defensive warfare defy the world in arms.

"If there is real danger of attack from any of the great powers, and those in high authority have secret information of the fact, as might be inferred from public acts and speeches, why does not the Government instantly commandeer and seize, as it should, the ammunition plants and factories of the country and keep their products at home safely stored for the emergency? Why the shipment of immense quantities of arms and ammunition to Canada and out of the country by every outgoing steamer? Such an embargo would at least attest the sincerity of the extreme preparedists. It is not craven or unpatriotic, as suggested by some fierce advocates of militarism, for a Nation of 100,000,000 free-born citizens, 10,000,000 of whom are sub-

ject to military duty in emergency, to feel secure against foreign invasion without keeping itself constantly on a war footing in time of peace.

"Such a nation is invincible unless it becomes the aggressor, and who is there among us, big or little, willing to admit such contingency? It was war-mad preparedness, without reason or sense, that plunged Europe into the frightful struggle of to-day. A match carelessly dropped into a tinder box may cause instant explosion, but a dozen such lighted and thrown into cold storage only cause a little spluttering, a fizz, a flare-up, and then gradual burning out without harm. The suggested war parallel is perfect. Calm thought and coolness are of more value than hasty action.

"Encroachments on the liberties of a free people come from military, not from civic, leaders. The man on horseback is always well groomed, booted, and spurred. He comes as Napoleon came, after the people have grown weary and exhausted from the maintenance of big standing armies in time of peace.

"I do not believe in Bryan's peace-at-any-price patriotism, nor do I believe in the blood-and-thunder, chip-on-your-shoulder attitude of a few very big men in this country, some of whom were old enough to have taken part in the Civil War, but were at that time strangely docile. Eventualities are uncertain, and it may be the ungodly forces of European malice or the so-called yellow peril shall unexpectedly break loose upon our fair land, notwithstanding its justice and absolute neutrality, but if so it will be an instant call to arms, and soon the war cry of the sixties, 'We are coming, Father Abraham,' changed only to apply to the present Executive, will be heard in stern resolve throughout the length and breadth of the Republic, and the quick response will be an army so overwhelming in numbers as to crush and destroy any possible invading force. It is a misnomer to call such intelligent citizenship a mob, as has been done by some self-opinionated military critics. The undrilled riflemen of Lexington and Concord were effective against trained British redcoats, and later, at New Orleans, a small force of irregular raw recruits, hastily called together under Gen. Jackson, were more than a 10-to-1 match for the trained veterans of England. So it has ever been and ever will be with the American volunteer when nerved to duty by an intelligent conviction of the righteousness of his cause.

"The 'common people,' as Lincoln loved to call them, still rule in this country, and they can not be deceived or cajoled into leaving the plain beaten paths of the Republic; they prefer the safe landmarks of the fathers."

The contest, intensified by organizations among the people, pro and con, on the subject of militarism, grew in force and interest as the presidential election of 1916 approached. The election centered largely upon this point.

The people were for peace. Whether, with or without reason, I do not undertake to say, they believed in the claims made by the friends of the President that he had kept us out of war, and, reasoning from this, they believed he intended to and would keep us out of threatening European complications.

They hailed him as a second George Washington warning his countrymen against foreign entanglements. Those who had watched his diplomacy in Mexico, and studied or knew of the secret John Lind hunt for Huerta's scalp, were incredulous, but they were not strong enough to turn the tide which had set in for the reelection of a "peace President."

Expecting myself to stand for reelection, as I did, and not wishing to be misquoted or misjudged, I sought opportunity to place of record my own views on the subject of militarism in general.

Accordingly, on the 23d of March, 1916, during the consideration of what was known as the Hay bill, to increase the Military Establishment, I submitted the following:

"Mr. Speaker—

"Four score and seven years ago—

"Said Abraham Lincoln on the historic field of Gettysburg—

"our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Hitherto militarism in varying degrees had ruled the world and the power and influence of the nations had been reckoned by the number and strength of their standing armies. From feudal lords to kaiser and king the course of empire had been marked by blood and iron. The army was a distinct class and often overthrew the Government and humiliated the civic classes of the people. In early times the rank and file were quartered in private homes. It was the dominant force, a permanent military establishment, and ordinary citizenship seldom rose above the rank of serfdom. King and army were the government.

"But it was different with the new Nation, thus brought forth on the American Continent. Its basic principle rested with the people. Its power and strength in peace was to depend upon the justice and fair dealing of its citizenship and those who might be temporarily selected to exercise the functions of government. In war its reliance was to be upon a volunteer army, called temporarily from the walks of civil life, and to be disbanded and again become an integral part of the citizenship on the passing of the exigencies of war.

"A big standing army in peace, eating up the substance of industry, was not to be thought of. It was a reproach in the eyes of the men of 1776.

"Thus was liberty and republican government established in the New World. The new Nation, thus constituted, flourished and waxed strong. And at Yorktown, where the world's militarism received its first great shock in the surrender of British regulars and hired Hessians to the volunteer forces under Washington, its form of government and citizen soldiery were vindicated.

"Again and again, in the War of 1812, and in the Mexican War, this basic principle of free government was attacked and repeatedly vindicated.

"But the supreme test did not come until civil war shook to its foundation this new form of government, and caused President Lincoln, in this same speech at Gettysburg, to exclaim in sorrow:

"Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure.

"It stood the test. 'A new birth of freedom' came to the Nation at Appomattox. The lessons of that hour and the example of Grant and Lee, great leaders of volunteer armies, in at once disbanding their forces and retiring with them to the peaceful pursuits of civil life ought for all time to be a warning against militarism in every form.

"For a half century it seemed as if such warning would be world-wide and effective. The leaven of American liberty gradually worked itself upward and outward around the world. Absolute governments became constitutional, and in some notable instances, like that of France, purely democratic in form. The Russian Duma and the Republic of China may be extreme and to some extent doubtful experiments, but they show the clear tendency of modern thought away from the militarism of the past.

"But in an evil hour, seizing upon the unhappy war conditions in Europe, a new propaganda of militarism, under the specious name of 'preparedness,' made its appearance in the land of Washington and Lincoln, of Grant and Lee. I shall not stop to discuss the cause. Be it hysteria or sense, it is here in such force as to dominate the executive and legislative branches of the Government; and, very naturally, the favored few who have been retained in the military service, or at least on the pay roll, during the years of peace, assume to possess all wisdom and knowledge on this subject. The ideas and example of Grant and Lee are forgotten in the words and seerlike suggestions of those who see conflagrations and 'spark flying' everywhere.

"But details are unimportant. As Members of Congress, in the consideration of the pending bill (H. R. 12766—Hay bill) we are up against a condition. The splendid response of Congress and the country to the recommendations of the President, now that actual war exists in Mexico, and the fact that Congress has already, by a practically unanimous vote, provided for a further enlistment of 20,000 volunteer citizen soldiers, and indicated its willingness by like unanimity to back the Executive to the limit with additional volunteers, now that American lives are in actual peril and Old Glory has been wantonly insulted, does not seem to abate or modify the zeal of these propagandists of militarism.

"Their grip upon Congress and public sentiment seems to tighten.

"Leaders on both sides in Congress, in this wild movement to revolutionize our form of government, change and alter the basic principles of the new Nation brought forth by the fathers in 1776, have grown excited, dictatorial, and arrogant, and even the President, on the theory of preparing for unknown possibilities, is understood to have demanded that all the business of the country in Congress be suspended until a huge Army and Navy of royal and monarchical size can be provided for as a permanent, voracious, tax-eating substitute for the volunteer citizen soldiery of the Republic, who have heretofore successfully defended our country when assailed by both foreign and domestic foes.

"We are asked to abandon the beacon lights of experience. We are asked to return to the iron age.

"Nine-tenths of the present American Congress, in my judgment, are ready to stand by the President and follow any so-called preparedness plans he and his advisers may submit, even though some of them may doubt his disinterested motives. They are not disposed to be critical or stop to inquire the cause of undesirable facts. Congress is moving rapidly, and, although much time is wasted in volunteer speech making intended for use only in the districts, the time has come for every Member to take his position and do his duty as he sees it. If he acts conscientiously, without personal or political considerations, looking only to the practical welfare of his country, he may, even if mistaken, calmly face the future conscious of his own integrity and without fear of those at home who may be hoping to see him submerged politically by a U-boat or mine set for the unwary.

"Under such conditions what is the duty of a patriotic citizenship, what the duty of their Representatives in Congress?

"Answering for myself, with due deference to those who are older than I am in service in Congress and those at home who may not agree with me in sentiment, I believe it to be my duty to so vote and act as to get the best results possible for my country out of existing conditions, and keep the old ship of state, now rocked in angry seas, as far as possible away from the dangerous reefs and swift-moving currents of the present and as near as possible to the safe headlands and courses charted by the fathers.

"Accordingly, I shall vote against any and all amendments to the pending bill calculated to increase its tendency toward militarism and in favor of every one calculated to modify or minimize such tendency. Some amendments, like the Kahn proposition to more than double the present authorized strength of our standing Army, have already been voted down by substantial majorities, thus giving hopeful promise of the future. The bill itself, as unanimously—in form, at least—recommended by the committee, is not a radical measure. It increases the peace footing of the Army by only about 40,000 above the number at present allowed by law, and this increase is to be gradual. Other details, already fully discussed, might be referred to by me, but it would only be a waste of time. Suffice it to say that the bill as now amended and ready to be voted upon is, in my judgment, in the best possible form that antimilitarists can hope to have it. My fear is that, although on the floor of the House it has been repeatedly called the 'President's bill' by Chairman HAY, when it goes to the Senate the extreme militarists, self-styled preparedists, may be able to induce the Executive to look upon it from a different angle and demand that radical, almost revolutionary, changes be made."

My reelection followed in due course with an increased majority. A few voters of my own party with self-exploited patriotic ardor, but whose warlike desires seemed to cool off when questionnaire day came and the hunt for exemption or deferred military classification began, called me a pacifist, but their votes were not missed or regretted by me on election day.

During the canvass, although, like other Members, I remained on duty here, I had opportunity to speak on patriotic subjects.

Once, when the question was up of sending an army into Mexico to rescue the imperiled forces under Gen. Pershing, sent across the border in search of the bandit Villa, I said:

"Mr. Speaker, a grave blunder has been made in Mexico by the present administration as inexcusable, in my judgment, as that at Balaklava, when the 'Light Brigade' was ordered to useless slaughter. Its 'watchful waiting' and its 'in-again-and-out-again' policy have shown a total want of any definite, well-considered purpose, and has been fruitful only of unhappy results.

"It is regrettable from any patriotic or dignified viewpoint. It is explicable only on the theory of seeking partisan advantage.

"But actual war exists, call it what we may, and this, with patriots, should silence party differences and political scheming. At such a time, like it was with the troopers of the Light Brigade when ordered to advance, it is not for American patriots now 'to reason why.' 'Forward' is the order of the President, and this, to my mind, fixes the duty of citizenship. American blood has been drawn; American soldiers have been ambushed and shot; the American flag has been insulted and American citizenship has been outraged beyond endurance or decency. An inadequate American force is to-day in peril, if not already annihilated, on foreign soil, and the Commander in Chief of the Army, made so by the Constitution and the suffrages of the people, asks of Congress authority to call our State reserves to the colors. It is not a time for partisan thought or accusation.

"There is no middle ground for patriotism either at the White House or among the people.

"I am emphatically a man of peace. War is abhorrent. Although only a private soldier in the Civil War, I saw enough of its horrors to know that Gen. Sherman was right when in his blunt speech he said it was hell.

"But peace may be purchased too dearly. Loss of honor and self-respect in a nation or individual is the beginning of the end, and I shall not knowingly be a party to such a beginning.

"As for myself, I have no apologies to make for my support of this resolution. The tocsin of war has sounded for my country, and this is a signal to me to sink party differences, and figuratively speaking at least, join the colors. What boots it if we have a Democratic administration? What boots it if he has made serious mistakes in his past Mexican policy? What boots it if his partisan followers are seeking to coin political advantage out of the discharge of simple, plain, patriotic duties? What boots it to whom the honors of success shall fall when Old Glory returns in honor from Mexican soil? We are all Americans, and patriotism should not have any dividing party lines. Only the selfish and self-seeking think otherwise."

Again, May 1, 1916, when a determined effort was made in the House to fix a time for the withdrawal of American influences in the Philippines and haul down Old Glory in the Orient, I protested as follows:

"Humanity, national honor, and the solemn trust assumed by our Government at the close of the Spanish-American War forbid the abandonment of the Philippines at least until the Nation shall have discharged its full duty to the native islanders as pointed out by President McKinley in his last message to Congress, in which he called the Philppines the 'wards of the Nation,' and further explained that—

"Our obligation as guardian was not lightly assumed. It must not be otherwise than honestly fulfilled, aiming first of all to benefit those who have come under our fostering care. It is our duty so to treat them that our flag may be no less beloved in the mountains of Luzon and the fertile zones of Mindanao and Negros than it is at home, and that there as here it shall be the revered symbol of liberty, enlightenment, and progress in every avenue of development.

"With Old Glory thus raised in the Orient, we are asked to-day—almost commanded by the Executive—to order it hauled down, furled, and laid away, as was the first American flag raised in Hawaii and afterwards taken down by order of a former Chief Executive of the same party faith, only to be again raised in honor when the Republican Party came into power. Gem of the Pacific, no American to-day with an ounce of red blood in his veins thinks of abandoning this island.

"I can not with my convictions of duty aid in the sacrifice of national honor proposed by this bill. The American flag, once raised in honor, shall never be lowered in dishonor by my vote while I remain a Member of the American Congress. I would rather resign at once and let some one of easy conscience take my place who can substitute expediency and sycophancy for national honor and duty.

"I propose in my vote to-day to stand by the administration of President McKinley in its settlement of the Spanish-American War; stand by his soul, heart, and conscience, as I knew and understood them from intimate personal association with the man, and by the wise councilors of state whose advice he sought, and by the Congress of the people to whom, in a constitutional way, he made recommendations, but never sought to dominate or control."

As election day approached and signs of Republican success began to multiply, Democratic leaders grew apprehensive and, throwing civil-service rules to the wind, rushed the campaign with reckless energy.

As illustrating conditions in my own district, I quote from a speech in the RECORD of September 7, 1916:

"Mr. Speaker, the leading Democratic newspaper of my district, published by a corporation whose president is postmaster in its principal city, recently attacked my vote against the Senate amendment to the House naval bill, which, according to the statements of this paper, provided for the construction of 157 new American war vessels, suggesting further that the President, who not long ago said we already have an efficient Navy, had his heart in the measure and used his influence to bring about its passage, adding with usual partisan zeal that I would be 'called to explain' my vote, and that I 'would have to step aside and let a younger man take my place,' indicating that such younger man was to be my present Democratic opponent.

"Believing it the right, in fact duty, of every good citizen, whether friendly or otherwise, in or out of the Government service, to call upon his Congressman for an explanation of any of his votes, if desired, I promptly acted on the suggestion and sent to the paper my explanation, expecting naturally it would be given the same publicity as the attack on my vote, although in this expectation I was disappointed.

"It follows substantially:

"'Whether or not the President is in favor of this colossal increase in naval expenditures, greater in amount than ever before proposed in any Government on earth in war or peace, is not and can not be known until the bill reaches him for Executive action.

"'The Army bill, just vetoed, was in like manner put forward by his friends in the House as one of his pet measures without any thought of a veto. Democratic leaders seemed to speak for him with authority, and, being a conservative measure, it met with little opposition on either side of the Chamber, or elsewhere until the Senate largely increased it, followed by a presidential veto.'"

"'Anyone reading the details of this bill, with the added Senate amendments, must realize that by it a new and distinct un-American class, independent of the people, is formed in this country with a provision for its continuance years after the hoped-for change of administration shall take place by the inauguration of President Hughes in March of next year.

"'A shade of doubt is also cast upon the sincerity of the President, if he really does favor this great and increasing naval expenditure, by the fact that the keels of a number of war ships, long ago authorized by Congress, have not been laid or begun by this administration, and the certainty that this program can not be completed until 1920. Facing this condition, and with this knowledge, with signs of peace on every hand, as stated by the President, how should I have voted? Of course, I could have dodged or not voted as did other Members according to the RECORD, some doubtless for fear of just such newspaper attacks as have been made upon me. But I never dodged a duty in my life and am too old to begin. I admit mistakes, but no fair-minded man or woman ever charged me with evasion. The only choice, therefore, left to me was to follow my own convictions and vote as I did with the minority, including Mr. KITCHIN, majority leader, and such sturdy Republican leaders as CAMPBELL, of Kansas, and LENROOT, of Wisconsin, instead of with the majority, certain as it was of success, and exultant under the leadership of the Democratic chairman of the Naval Committee and the Republican minority leader. I am on record as a conservative and in favor of honest neutrality, but have supported every war measure asked for by the President without a thought of partisan advantage accruing to him, except the present proposition, if he be in fact in favor of it.'"

Election day came. The Republican slump in Ohio and California resulted disastrously to the party, but I was reelected in my district, plucked from the burning, so to speak, much to the chagrin of local Democrats and the few voters I have referred to of my own party who claimed I was too slow stepping for their warlike souls. German atrocities continued. Sparks from the European battle fields began to fly in every direction. The militant spirit of America was aroused as the Germans added horror to horror. The *Lusitania* was sunk. U-boat warfare was extended ruthlessly to noncombatants, women, and children. Honor, self-respect, and manly chivalry left but one course to pursue. The President followed that course and a very large majority of this Congress followed him. The result is glorious history.

That no one, friend or foe, in my district might longer pretend to be in doubt as to my views, I rose in the House April 5, 1917, when the declaration of war was under consideration, and in a brief speech explained the impossibility as I saw it of America attempting longer to play the rôle of neutrality. Further dalliance seemed like inviting attack; seemed like an admission that "we were too proud to fight."

I quote substantially in full:

"Mr. Speaker, I shall vote for this resolution as a patriotic duty; I shall vote for it in the same spirit with which over a half century ago I offered my young manhood to my country on a similar call from President Lincoln.

"I shall vote for it because our present duly elected Chief Magistrate has said to us in effect that he has exhausted all proper means of avoiding war with a nation which happily heretofore has been at peace with us during all our national life. As the President has well said, 'It is a most fearful thing to lead this great peaceful people into war'; but his is the responsibility; our duty in a sense is of lesser degree—that common to all official and patriotic citizenship.

"I represent a district in which there are many so-called pacifists, sturdy, rugged, conscientious believers in the peaceful doctrines of William Penn; nonresistants, if you please, and yet men and women of the type of martyrs, unafraid in any human presence. I honor them. Family traditions and teaching point me in the same direction, and yet, as in the lurid days of the Civil War, placing country above family ties or personal considerations, I must respond to duty as I understand it—answer the call of the President and stand by him in matters of immediate concern, such as the resolution we are now considering, reserving only matters of conscience and the future exercise of deliberation and judgment on doubtful governmental policies which may or may not arise after the exigencies of the hour shall have passed.

"With me it is not a matter of excitement or hysteria caused by war propagandists or aroused by the more serious and burning words of the President. I do not agree in sentiment with all he has said. I have felt that absolute neutrality, even to the extent of an embargo on the shipment of arms and ammunition to belligerents, was the duty of this great Republic, and I am loath to waver in judgment in this respect. But I fear we are approaching a condition where not to stand by the President—elected for four years by the people and the only one we have or can have in the present emergency—would be like attempting to tie the hands and embarrass the executive branch of the Government, a thing which I feel no Member of Congress ought to be expected to do in such an hour of national peril.

"This does not mean that all Members of Congress should follow him in extreme ideas for the future, such as the construction of big battleships in large numbers which can not possibly be put in commission until after present dangers are past, or in big standing armies for the future formed by compulsory military training; in other words, abandoning the ideals of the Republic for the reactionary ideals of monarchy. My hope has been that permanent peace and disarmament might come together."

The declaration was full and complete. It solemnly pledged to the winning of the war all the resources, men and money, of the most powerful Nation on earth, leaving details and methods of execution to the future action of the President and Congress.

Presumably the traditions of the Republic were to be preserved; they had stood the crucial tests of five successful wars.

The volunteer system of organizing armies was not an experiment with free, patriotic, self-governing peoples. It had been tried and not found wanting. It was based upon man as a responsible, thinking being, while the opposite or conscript system reckons with him more as a physical force.

The inherent right of a free citizen to volunteer and fight in defense of his country had never before been questioned. It seemed as well recognized and as sacred as the right to defend one's person or family when attacked.

But new light and wisdom were professedly said to have come to the President and his advisers from "experts on both sides of the water," as they were aptly termed by the President himself, and thereupon the traditions of the Republic and the experience of its founders and defenders in past wars were ignored.

Congressional action was necessary to give sanction to this innovation, and a sharp controversy arose. It raged for days with rare earnestness in the House, backed by the administration, but finally the policy of conscription, sugar-coated as selection, won, and the volunteer system was discredited for the first time in the history of the Republic.

The new system, selective drafting, has proven a success, judged by the only standard permissible in war—success itself. It is not now a subject of discussion; believers in the old traditions of the fathers and the volunteer system are silenced.

But what it may lead to in the hazy realms of the future can not now be told. Whether or not it means the entering upon a broader, more liberal, and more genuinely republican policy, than that of Washington and Lincoln, leading eventually to the consummation of the higher ideals of a free world, must for the present remain a matter of conjecture. He who rules and must reign, on earth as in heaven, alone can tell. My hope and prayer is for its success, although admitting a fear that some time in the years to come, in an unguarded moment, some imperialistic believer in big standing armies and big military establishments, like Napoleon or Caesar, may appear on horseback and seek to lead a confiding people backward and wrench from them the fair fruits of liberty won by our armies of to-day at such fearful sacrifice.

Having, as stated, honestly and in good faith as a Representative in Congress contended for the volunteer system, I deem it only proper on this occasion to let the printed RECORD fully explain. I have no apologies to make for my votes, nor desire to conceal my beliefs on this or any other public question.

On April 25, 1917, a few days after war was declared, the House having under consideration the bill (H. R. 3545) to authorize the President to increase temporarily the Military Establishment by volunteer enlistments, which had been reported with a favorable recommendation by the Military Committee, a motion was made to strike out this volunteer feature

and substitute in its place one authorizing conscription or compulsory military service, I said:

"Mr. Chairman, I can not vote for this bill if its volunteering features are stricken out as proposed. I will vote for it if such features are retained, out of deference to the judgment of the President, assuming that his wishes are correctly reported to us by the war journals and by those of our House leaders who are supposed to speak for him, although some of its other provisions, its colossal magnitude, its suggestions of close foreign cooperation and possible future entanglements, contrary to American ideals and contrary to the thought of many Members of the House when they voted for the declaration of war believing, as they did at the time, it was to be an American war, waged by American volunteer soldiers in defense of American rights ruthlessly invaded by the German Kaiser, as set forth in the President's address. Members of Congress of all parties were willing to trust the management of such a war to the President and his official advisers under American plans, not expecting them to resort to royal ways or royal advice.

"Consideration of my own duty, therefore, in regard to the measure has been largely confined to the question of conscription without first giving the citizen, able and willing to serve his country, an opportunity to volunteer in its defense whenever or however it may be attacked. Conscription, without such opportunity, is, in my judgment, unrepublican and un-American. It is a stigma upon patriotism. Its advocates are fundamentally wrong in their basic conceptions. They declaim loudly about universal military service being the duty of every citizen of the State, but they strangely omit to mention the fact that in a Republic the people are the State and that therefore the duty they proclaim is but the ordinary reciprocal obligations of good citizenship, universal and binding alike upon all who would enjoy the blessings of a republican form of government. It is a proud privilege, a freeman's heritage, a most sacredly guarded right of the citizen to voluntarily join his copatriots in defense of their common country when assailed without being conscripted or unjustly classed with the unwilling or unworthy. Conscription implies involuntary servitude by force, a stigma not to be put upon the patriotic citizenship of a Republic excepting only when the volunteer system fails to produce satisfactory results.

"This has been the rule of the Republic ever since its foundation. It has brought victory and never defeat to the Stars and Stripes. Its virtue has never heretofore been questioned. But it is now said a great emergency has arisen and that there is no time to study the historic lessons of our own Republic, founded by George Washington and his compeers, and that, therefore, American traditions and ideals must be abandoned and the old, old lights of the world invoked for our own immediate guidance.

"A great English general, hero of nine wars and first British officer to meet the German line, according to reports in our war journals, tells us that the volunteer system is a failure. But his viewpoint is from that of a monarchy; he speaks for the citizenship of a kingdom, not of a republic. A study of some of the great battles of our Civil War, fought by volunteer soldiers, Federals and Confederates, might tell a different story.

"The wheels of progress and thought are to be turned backward toward militarism, backward toward a condition which our modern Secretary of War, in his letter to Chairman DENT, calls a 'philosophy.' So be it. This bill with its elastic volunteering feature provides for just such supposed contingency, but it places the responsibility where it justly belongs—with the President. The House committee has wisely provided that—

"In the event the President decides that such additional force or forces shall not have been effectually raised under the call for volunteers as herein provided the President be, and he is hereby, authorized to raise by draft as herein provided, organize, and equip an additional force of 500,000 enlisted men, or such part or parts thereof as he may at any time deem necessary.

"No limitation as to time is put upon this power of the President. If in his judgment conditions exist warranting it, he has power to so order at any time after volunteering begins. It is left discretionary with him; he is the sole judge, and the bill does not seek to restrain this exercise of Executive power.

"Early after the election of the President last fall, induced largely by the cry that 'he kept us out of war,' I resolved, as a matter of patriotic duty, to stand by his administration in so far as conscience would permit. I resolved in my humble way, waiving all conditions not vital to conscience, to follow his leadership. I have tried in this respect to be true to my country's best interest according to the light God has given me.

"In this spirit I voted approval of the ill-starred expeditions into Mexico, although not entirely convinced that the Taft policy was wrong in declaring an embargo on the shipment of arms and ammunition across the Rio Grande and keeping the American Army encamped on the north bank ready to protect and defend American life and property from any and all assailants.

"I voted without question for the President's modest recommendations, as originally made, for increasing our Army, relying, like a majority of American voters, upon his campaign promises.

"I voted to sustain him in his German diplomatic letter writing, believing it to be in line with a well-considered policy of avoiding actual rupture with a great nation with which we had been at peace all our national life.

"I voted approval of his severance of diplomatic relations, although I felt some hesitation, thinking possibly the necessity might have been avoided by a little stricter adherence to our announced policy of neutrality and the exercise of more real diplomacy in dealing with the German Embassy at Washington.

"I voted for the authority asked by the President and his advisers to arm American merchant vessels to defend against German submarines, which now on all hands seems to have been a useless waste of patriotism.

"I voted, with confessed misgivings as to where it might lead us, but in accordance with my desire to patriotically stand by the President, for the $7,000,000,000 appropriation asked to carry on the war, the immensity of which is staggering and has no parallel in history.

"I have expressed my willingness to vote for this bill giving, as it does, to the President an absolute war power greater than that ever conferred upon king or potentate, saving only that over the life and death of the subject, if only the ideals of the Republic and its founders can be preserved in a land where now none but free men live.

"I can not follow the President in this.

"I criticize no one who differs with me.

"I answer only to my conscience, to my ideas of an overruling Providence, feeling that I am immune from the embittered charge of political self-seeking hurled against Members of the House, not expecting again to be a candidate for Congress and having no ambition except to do my duty as God gives me to see it during this Congress, the most important parliamentary body ever assembled in the history of the world. I shall hope, however, if I live until March 4, 1919, to take home to my constituents a clear conscience and a pair of clean hands. [Applause.]"

A few days afterwards when it became apparent that the motion to amend the bill would carry, April 28, the RECORD shows I made this further suggestion:

"As this discussion draws to a close it has become apparent that the American volunteer system, successful heretofore in all our wars, is to be stricken down. The conscription system is to be substituted in its place as the future military policy of the Republic by influences powerful enough in this House to override the earnest pleadings of our honored Speaker, former Speaker CANNON, the chairman of both the Military and Naval Committees, the majority leader, Mr. KITCHIN, Dr. FESS, Mr. MONDELL, Mr. CAMPBELL of Kansas, and many other leaders of experience and conscience.

"I desire to say a last word on this subject to fellow Members of this House, whose good opinions I value, and to my constituents. If a law favoring conscription and leading to permanent militarism be enacted, I shall stand ready to vote full power to the President to exhaust, if necessary, all the resources of a brave, free people, all the resources of the Government in men and money, to bring the war to a successful conclusion."

The roll was called, the vote taken, and the record made up.

I stand by it, and, since then, following my expressed purpose, have conscientiously given support to the big Army supply bills and other war measures asked for by the President. Some of them have been colossal and startling, staggering, in fact, to plain people like myself; but, like Stephen Decatur of old, I have tried to be for my country, right or wrong. His, however, in large measure has been the responsibility, and now that victory has come, is it remarkable that a corresponding feeling of personal triumph should affect the President himself, who after all is much like the rest of us, merely human? He is welcome, so far as I am concerned, to break all previous presidential records for absence from the country and sit for a time, if he wishes, at the head of the most wonderful peace conference the world has ever known or will know again. His friends may well claim for him this honor and this distinction.

Perish, therefore, any thought that he goes abroad seeking on foreign soil only the plaudits and limelight glory of a world now wholly freed from bondage and not for the expressed object of finally achieving for mankind his high hopes and ideals.

Let us be just to the Executive head of the Nation even though we do not agree with him in politics or in matters of taste and official detail in the office he temporarily holds.

The decisions of this peace conference are likely to be just and be final for all time. It will no doubt seek to render to Cæsar the things which are Cæsar's, and may God in his wisdom be with America in her efforts to return to normal conditions. She did not enter the war for conquest; her public men are not now exploiting, as the newspapers report some of the representatives of the allied powers, the billions expected to be exacted as their separate indemnity from the German people, nor are we proclaiming in advance of the meeting of the peace conference that America will insist upon or accept any particular world privilege such as reported of England by King George's premier to the effect that her ancient claim of right will be revived and unalterably insisted upon to maintain in peace or war a fleet powerful enough to dominate the world. Shades of Valley Forge, Yorktown, and New Orleans! Can not such disquieting thoughts remain in the shadows where they belong and where they have been since 1812? It is an unhappy time to revive memories of the past. All questions between the allies or with America should be held in abeyance, at least until they can be discussed in friendly conference. The Talleyrand diplomacy of Vienna must not be repeated at Versailles. It might be fatal to the future peace of the world.

The pathway of America from temporary autocracy, from absolute war power temporarily lodged in the Executive, back to plain republican simplicity is fraught with dangers seen and unseen; it is a long and rugged road, but in the final destiny of the world its success or failure must be the real test of human liberty. It will reveal the final strength or weakness of American institutions. We have reached the crossroads of destiny.

Partisan scheming for or selfish criticism of the President in an hour like this is little short of treason to American ideals.

Mr. Speaker, I have little further to add to the report of my stewardship. I have not, as you and my fellow Members of Congress know, sought the limelight or had special hobbies to exploit on the floor of the House or in the public press. My individual acquaintance in the press gallery is almost negligible, although duly appreciative of this powerful third house of Congress. I have not sought notoriety in any way; my time has been fully occupied by the plain duties of a Congressman.

Besides necessary attention to the local requirements of a district of great and varied industrial interests, my general committee work has been sufficient to keep me busy, except when the House has been in session for business. My record of attendance on the daily sessions is good. I have been a willing, patient listener, but as a speaker I have been somewhat modest and unobtrusive—a rare combination, I may say, without intending offense in this House.

My committee work, although important and wholly selected by others for me, has not been of the kind conducive to floor prominence. The iron-bound rule of seniority in service, not in experience or years, has kept me off the only committee—the Judiciary—in harmony with my whole life work, but personally I can not say that I regret it. It may have been for the best in my case, certainly has been for many of my constituents, comrades of the old and comrades of the new Army, for whom I have been able to labor with greater diligence; but I express the hope that in the Sixty-sixth Congress it will, like the autocracy of the Kaiser, be utterly destroyed. It has no place in a free, open forum of the people. It is a relic of the old absolutism of the Speaker, happily and timely snuffed out in the Sixty-first Congress.

In this age cards must be played face upward on the table.

Modesty, Mr. Speaker, is said somewhere to bespeak one's merit; and if this be so, then I claim title to a certificate of merit from this House. Speech making merely for the sake of being heard has not been my rôle. By my acts and my votes I am willing to be judged by my constituents. My votes are of record; I have never dodged unless absent on account of sickness or other sufficient cause.

Outside of my support of war and patriotic measures, my votes will show that I have stood for the general uplift and encouragement of my fellow men, stood for moral righteousness and reform whenever or however presented.

Modestly I have tried to remember the unselfish dream of the poet:

> Honor and shame from no condition rise;
> Act well your part, there all the honor lies.

Telegraphs and Telephones.

EXTENSION OF REMARKS
OF
HON. JOHN A. MOON,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 7, 1919.

Mr. MOON. Mr. Speaker, under the leave granted to me, I insert the following letter and synopsis by Theodore N. Vail, discussing the telegraph and telephone systems and the wisdom of the union of the two, and Government ownership of the same:

NEW YORK, *January 3, 1919.*

Hon. JOHN A. MOON,
Chairman Committee on the
Post Offices and Post Roads, Washington, D. C.

MY DEAR SIR: Inclosed please find corrected proof sheets of my communication of December 30, and also a condensation of the contents.

Sincerely, yours, THEODORE N. VAIL.

DECEMBER 30, 1918.

Hon. JOHN A. MOON, *Chairman*
Committee on the Post Office and Post Roads,
Washington, D. C.

MY DEAR SIR: Your letter, inclosing House bill 368 and letter of the Postmaster General relating thereto requesting my views, is received.

It is my assumption that the request covers my views upon the broad question of a proper solution of the problems of the electrical transmission of intelligence by any means and under such an organization or such policy as will bring about the greatest possible extending and broadening of its usefulness under the present state of the art and also insure the greatest possible future development.

It is admitted that the great utilities of interchange and intercommunication, which have been so largely instrumental in the great development of the economic and social world and upon which the progress and continuity of such development depends, are suffering from the application and interpretation of existing laws concerning control and regulation, and as the proposed bill calls for some plan of organization it is also my assumption that my views should also cover some suggestions as to the underlying features of a curative solution of the question of control and regulation.

It is not my understanding that this bill is a Government ownership and operating measure, but its purpose is to give sufficient time to prepare and present to Congress a specific proposition for the reorganization on some basis which will work for efficiency and economy of all the international and intranational wire systems operated and controlled from the United States. There would seem to be no question as to the wisdom of such an attempt.

A thoroughly considered, well-thought-out solution can not be prepared under pressure or in a short time.

We know the "don'ts" in unmodified government operation, and the "don'ts" in unrestricted private operation, and the "don'ts" in our present uncorrelated, uncoordinated control and regulation, and these should be the guides.

The solution involves new economic practices of which there is little or no direct experience.

It is recognized that in the interests of the public advantage the utilities should not be returned to the owners without some correction of the existing deficiencies in regulation and control.

Under the present status of Government operation and control little can be done toward the ultimate solution which must take place which will not have to be undone when the period of control ends and the systems are again subjected to the present interpretation and application of existing laws.

It would seem as very desirable for the country that time should be given for such a solution. It would also seem, in simple justice to the owners of the existing systems, that during that period whatever is done by and with the consent of the companies interested and of the public authorities toward partial unification of the wire systems should be exempted from the application of existing laws.

My position upon Government ownership and operation has been repeatedly and unmistakably expressed.

Unmodified Government ownership and operation is no solution because of the absence of essential factors to efficient

operation, such as continuity of administration and consequent lack of opportunity for the full fruition of incentive and initiative, lack of rewards both in large opportunity for promotion and such compensation as will retain those of the organization who have developed qualifications and accomplishment against the rewards afforded in private industry.

Neither is unregulated or uncontrolled private ownership and operation a solution because of the opportunity for selfish exploitation.

Between these extremes there must be found a solution.

—

The great difficulty will be to settle upon a solution which will not leave opportunity for, and perpetuate in some other form the same evils which now exist in, the multiplicity of uncorrelated, irresponsible, complex, contradictory, and overlapping forms of control or regulation, or leave opportunity for unjudicial and biased action or selfish aggression.

There is, however, in my opinion, a possibility of a simple, complete, and satisfactory solution.

There is without doubt an opportunity for a great piece of beneficial and constructive work by combining and coordinating all the various existing utility services, or those that are complementary and supplementary, into one or more well-balanced systems, the extent of which should be determined by the nature of the service, by the extent of the service rendered, and by commercial, geographic, economic reasons; and by combining in a direct manner, and as far as possible divorced from political or partisan or class influence, the requisite power and authority of the Federal Government expressed in a mandate to equilibrate revenue, operating costs, and capital charges, with an operating organization adapted to the requirements of the service, and based on the methods which experience, enterprise, and operation in the industrial world have shown to be effective, efficient, and economical.

Government control and regulation and restrictions need the same cure that our utilities do—combination, coordination, cooperation—"one system" interdependent and interrelating, with a single or coordinated responsible control over all similar utilities, and over all the factors that make for operation, for continuity, for permanence, for efficiency and success, and above all there must be recognition of the fact that neither labor, management, nor capital is independent of the others, and that neither can permanently get any benefit at the sacrifice of the others, and that permanent maintenance of operating organization depends upon reasonable rewards for the actual contribution of each to the work.

ELECTRICAL TRANSMISSION OF INTELLIGENCE.

Facilities for interchange of intelligence or ideas by electrical transmission are substantially different from facilities for other interchange, in that nothing tangible is transmitted or transported; the transmission is a series of electric vibrations or interruptions, totally dissimilar to transportation of goods, letters, passengers, in which the actually tangible thing is carried in bulk or in quantity and can be handled or transferred; and the vehicle or the train of vehicles in which it is carried is the nearest to a unit of transportation.

All utilities of transportation can be divided up into systems of greater or less extent. In through passenger or freight service there is a limit to direct continuous transit due to the methods and machinery and facilities of transportation. In telegraphy the more direct and continuous the transmission the more perfect the service, but in the telephone service direct and continuous transmission is essential to any service. In all other utilities of intercommunication the transmission or transportation must be from one point to some other point and need not be continuous, direct, or necessarily over the same system. Telephone transmission, however, must be direct and continuous; it is an actual conversation between two parties. The connection must be continuous, direct, and over the same system. This introduces an essential prerequisite to service in telephony which does not exist in any other public service.

The transmitting currents of the telegraph and telephone are similar in many of their features, but the telegraph transmits vibrations or interruptions of current which are translated into letters and written words, while the telephone transmits vibrations or partial interruptions of the current which in themselves form the spoken word.

It has developed early in the evolution of the telephone service that while there were common features in the technique, the service rendered was entirely distinct, each having its own particular field, not competitive but complementary. Long before the common use of the wire plant for both purposes was developed the advantage of a combined system of telegraph and telephone under one control was recognized.

The ideal of one wire system, universal (national), interdependent, intercommunicating, under one control, has been consistently pursued by the Bell system, against the cry of monopoly and usurpation and charges of aggression and so-called competition. This ideal has been completely vindicated in that one system is now recognized as the only method for comprehensive telephone service, and is now being urged on opposing systems instead of being opposed.

The combination of the telephone and telegraph systems, which was undertaken by the Bell system but set aside under the interpretation and the application of existing laws, demonstrated in the short time of its existence the advantages.

In 1909 it was thought that a great public benefit could be obtained from the union of the telephone and telegraph and that by gradually utilizing all wires for both purposes, and by making one plant serve for both purposes, the maintenance, the organization, and above all the depreciation, which is very large in open-wire systems, of one plant could be saved. While the immediate utilization of one plant for both purposes would require reconstruction and rearrangement of facilities which would be too costly and make too much disturbance, the ultimate utilization would be made in the ordinary course of maintenance and reconstruction in the course of a few years with little cost and no disturbance. It was, however, immediately possible to make every one of the 10,000,000 telephone stations day and night telegraph stations and thus reduce the number of telegraph offices which were maintained at a loss, and to expedite and cheapen delivery of messages beyond the delivery districts or in the country; and it was also possible to introduce some new forms of cheap deferred service.

The wire system of the future will be one nation-wide system, under single control, by or over which direct connection can be established between any two places for the electrical transmission of any communication or of the spoken word; and every individual place will be the center of the system for transmission in any direction to the limit of transmission.

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The science of industrial application of electricity is almost as new as the telephone. The whole telephone art had to be created; it did not exist, nor was there, as is usual in new enterprises, anything analogous to it upon which to base action and policy. It was necessary from the very beginning of the telephone development by the Bell system to maintain a research investigation experimental department. At first small and inconspicuous, but extremely alert and wide awake, it has grown into one of the largest laboratories of the application of science to industrial development in the world, and engages the services of a large number of the most eminent scientists, who are devoting themselves to the unfolding of natural laws and phenomena and their application to the art of electrical transmission of intelligence. To this branch or department is due the fact that this country leads the world in that art, and its work has made possible a continuous reduction in the average charges per unit of service through the savings in cost of operation, equipment, construction, etc. It is estimated that the present savings over methods prevailing not many years ago in operation and construction amount to at least $50,000,000 a year.

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The marked development which justified the early belief in the common factors of telephonic and telegraphic evolution was the superimposing on the telephone wires simultaneous telegraph transmission—now so developed that all toll lines of any length are being or can be used for the dual purpose. Among the multitude of other improvements was the twisted pair wire circuit which neutralized extraneous noises induced by high-voltage electric power or light transmission and by static currents which are so deadly and so limit the usefulness of wireless transmission; and the multiple switchboard, which made immediate connections possible in exchange service; these two have contributed more than any other two things to make exchange and long-line service popular and practicable.

The development of the utilization of plant and the search for new uses both for telephone and telegraph were continuous.

The multiplexing of the telegraph side of the telephone wire, the phantom telephone circuit by which a third telephonic circuit could be superimposed on every two telephone circuits, were two very important results. The studies and observations on applied telephone practice may be said to have greatly cheapened, and to have revolutionized apparatus and operating methods, each few years. The distance of transmission through aerial and underground cables was extended from a few miles to 500 miles, and now it is certain of being extended to 1,000 miles or more. This will ultimately be productive of great economy on leads carrying a large number of wires and of great

efficiency in bridging districts where there is frequent occurrence of destructive sleet and wind storms. The reduction of the size of the wire and the weight of copper required in the transmission circuits not only greatly reduced the cost of material but made it possible to use in the underground conduits cables with as high as thirty times the number of circuits for which they were originally intended. When we consider that there are over 20,000,000 miles of copper wire in use and the reduction in weight to one-half or even one-quarter of what was formerly needed, the saving can be appreciated. When we realize that the underground conduits for the telephone cables have cost over $100,000,000, some idea of the saving in construction through increased capacity can be formed. Open-wire transmission was developed from a somewhat indifferent transmission from New York to Chicago requiring special terminals in exchanges to commercial transmission across the continent from any exchange terminal, and at the same time it was made possible to run the long-distance circuits through the underground exchange systems and not around them, as was the practice.

Early in 1915, after several years of experimenting, research, and investigation, wireless or radio telephoning was made a practical demonstrated success. Through the courtesy and assistance of our Navy Department in giving us the use of the Arlington wireless station and the cooperation of naval officials the voice was transmitted by radio from Arlington, Va., to Paris and Hawaii by radio transmission, where were stationed members of the research department of the Bell system. The Secretary of the Navy from his office talked by wire and wireless to the commander of a war vessel off Hatteras, as did also the commandant from Mare Island, Cal., by transcontinental wire and radio. This radio has been most useful in our late war. Through the cooperation of officers of the Signal Corps and the experts of the Bell system it has been adapted to communication between aeroplanes in the air and between them and ground stations, and it was used with great effect in locating hidden guns, in communicating the aero observations of the effect of bombardments, and so forth. It was also of great service in the submarine warfare. It is now possible to establish, and had it not been for the interruption caused by the war there would have been in operation, a combination of aero and wire transmission between the land exchanges and vessels off the coast.

A method of multiplex typewriter transmission has been developed which many times augments the telegraphic capacity of the wires, and only recently the practical application of a method of multiplex telephony, the result of the work of years, has been made, by which four or more telephone circuits can be superimposed on the regular telephone circuit; and, curiously enough, the transmission over the superimposed circuits is superior to that over the regular circuit. It is not a valuable but an interesting scientific feature that it is possible for two people at one end of the circuit to talk to each other via a distant point over the same circuit.

These great developments of the utilization of plant for simultaneous and greatly increased service are the latest practical applications of the work of the technical department of the Bell system. With less than half the weight of copper that was formerly used to transmit one conversation, it is now possible to transmit over one wire circuit at the same time at least five and one-half telephonic messages and a large multiple of the number of telegraph messages formerly possible.

While these new uses require the most delicate balancing and adjusting and close attention, they are simple in operation. To introduce them, however, requires so much rearrangement of circuits and instruments that immediate utilization is too costly, and it must be done—as it can be at small cost—in the process of reconstruction over a course of years.

It can be safely said that with the same weight of copper which was formerly required for one telegraph or one telephone circuit, ten or twelve times the telephone and telegraph use is now possible at any one time, and when we consider the total capacity which in the telephone system is unutilized at certain hours, many new services, in addition, which would be of great benefit to our commercial and economic and social organizations can be introduced. Distant accomplishment is usually foreshadowed by present evidence, and, judging from the past, there is abundant evidence that the future accomplishments will be greater than any that have gone before.

While these results are the work of and were possible only because of this technical scientific department of the system, much has been done and much will be done by individuals working along more or less the same general lines of investigation. Such work has been contributory. Almost without exception, improvements in apparatus or operation which are considered integral or complete in themselves are really the coordinated combined results of many individuals working upon many ideas in connection with experimentation and practical application and to obtain certain results. In fact the art has reached a point in development where it is impossible to differentiate research and experimentation as between the separate methods of transmission, and all laboratory and experimental work in all lines must be coordinated and carried on in connection with the practical operation over a system corresponding in extent with the system upon which it is intended to be used. The work of investigation, research, and experimentation is at best expensive, but is indispensable in a new art and the cost if spread over a large system is relatively small.

Whatever the status of a wire system, Government owned or private owned, it is and must be a virtual monopoly, combining both telegraph and telephone. Competition in the telephone service in its real sense can not exist. If there are two systems in any place, the choice of the system is controlled by the list of subscribers connected on one or the other of the systems; beyond a small percentage, there would be no duplications. Opposition telephone service means two payments to get complete service. Each system, where there are two or more, offers an entirely different service in that the great majority of subscribers are not the same.

Competition in the telegraph business in the true sense of the word has not existed for years. It is true that there has been competition for, or a division of, the profitable business at less than one-fifth of the public telegraph offices, serving about one-half the population in this country. There is no competition at the other four-fifths of the offices, which are maintained at a loss for the purpose of giving a public and necessary service to about 50 per cent of the population; and one of the competing companies frankly states in its published reports that it has no intention of competing for unprofitable business. If this is to be the rule, a large part of the public could not be given the essential facilities for everyday life.

In every public service the revenue comes from uniform charges based on average costs. Some service must be rendered at a loss; the average profit must carry the business as a whole. When competition divides the profitable business the average charge must be not only sufficient to carry the unprofitable business but also to pay the fixed charges and operation of a duplicate and unnecessary plant.

The public pays for competition either in cost of maintaining duplicate systems or in lack of quality or quantity and extent of service.

In 1917 the Bell system of toll lines alone embraced over 350,000 miles of pole lines and 3,500,000 miles of wire, of which 1,000,000 miles were underground, while the combined telegraph systems embraced less than 250,000 miles of pole line and 2,000,000 miles of wire.

These telegraph facilities represent an investment of at least $200,000,000 in poles and wires alone, without equipment. Depreciation and destruction of open wires and their maintenance calls for at least 10 per cent a year, while interest charges are 6 per cent, totaling $32,000,000 a year additional cost for the maintenance of a separate system, a sum equal to the gross telegraph revenue only a few years ago.

While the economy of the combined system could not be brought about immediately, as the cost of the reconstruction and rearrangement for that purpose would be very great and disturbing, it could all be brought about with small increased cost in a few years as maintenance and destruction and depreciation call for reconstruction, and substantially all existing plant can be utilized for necessary expansion.

While much of this may at first seem to be immaterial to the question under consideration, it is most pertinent. In these accomplished results and developed experience are the potent factors which must control the final determination of the solution of the problem. Based on experience of the past and foreshadowed evolution of the future, the evolution of the economic and practical operation of electrical transmission in all its forms, is indisputably toward one common system embracing all methods of transmission of intelligence.

The measure of the extent and comprehensiveness of the future wire system is and always will be the telephone system.

Upon the interconnecting system of wires necessary for telephone purposes every other possible form of electrical wire transmission of intelligence or exchange of ideas can be superimposed, with abundant room for a great expansion of new and cheaper services.

In all this development we claim for the Bell system a respect and regard for public service which has not been destroyed or handicapped by private selfish interests. The shareholders of the American Telephone & Telegraph Co. have been content with a return on their investment which in good seasons as well as bad has been sufficient, but not more than sufficient, to enable them to raise the large sums necessary to meet the public demands for enlarged public service. This return has not been materially increased, nor have any extra dividends or "plums" been divided for at least 30 years; all surplus has been put back into plant and the public have had the use of it.

There is no "water" in the securities, as there has been paid in premiums to the treasury of the American Telephone & Telegraph Co. considerably more than the par value of the stock outstanding.

The amount paid out as dividends and interest in 1917 was 4.74 per cent on the actual book value of the plant, and the aggregate book value exceeds the aggregate of all official appraisements that have been made. Average charges per unit of service have been continuously reduced; a very large majority get the service at much less than the average charges, and some class of service has been placed within the reach of all.

In order that there should be a nation-wide system, large cities and extensive areas, in fact whole States, have been operated at an actual loss by the Bell system. The service and plant have been maintained at a uniform standard that transmission over the whole country might be had in every direction and between all points. Otherwise, it would be impossible to give dependable local service except in certain and restricted areas, and long distance service only between the principal places and there not through the regular exchange service. This has only been possible because from the beginning all the surplus earnings over and above the regular charges have been invested in plant of which the public has had the use directly and indirectly without any capital charge.

Notwithstanding the great increases in wages and material, which have more than doubled costs, only in places where glaring inequalities existed, has any increase in charges been made on this account, and it is expected that not more than an average of 10 per cent increase will be necessary to meet the abnormal increases in costs.

This constitutes what is in fact a reduction of at least 50 per cent in the charges for telephone service, as compared with the increased charges for every other class of service and as compared with relative ability to pay.

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CABLES.

Should the United States become the center of a cable system commensurate with and sufficient to fully protect its political and economic position?

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Substantially all the developments of electrical transmission by open wire have reflected on submarine cable and nero electrical transmission. It is impossible at this advanced state in the art of electrical transmission to differentiate experimentation or investigation between the different methods, and many of the new devices and principles which have been developed are most far-reaching in their applicability to all systems of transmission. Submarine-cable capacity for transmission has already been greatly increased, and the prospects of still greater increase are promising.

Over land lines, submarine cables, and radio it is within limits to say that electric signals can be transmitted any distance, even around the world; over land lines and nero the same may be said of the transmission of speech, but as yet the transmission of speech over submarine cables of any length has not been possible.

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Submarine-cable plant is the most costly plant for electrical transmission of intelligence. The coordinated operation of all cables giving more or less similar service is essential if the most effective cable service is to be had at the lowest possible cost. A certain percentage of cables are out of commission all the time and a large percentage most of the time. These interruptions of individual cables extend over long periods—at times a year or more. This makes competition wasteful and necessitates high prices for service.

If operation is coordinated, the total capacity is greater than the total capacity of the systems operated separately, and other but less direct routes can be used to cover periods of emergency.

There is on any cable system a variable load, determined largely by the difference in time and the overlapping business hours in the various countries between which the transmission takes place. This results in a large percentage of unused facilities which under unified operation could be used for circuitous transmission in an emergency or in competition with direct service, or for deferred services at cheaper rates where a little delay is immaterial.

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INTERNATIONAL INTERCOMMUNICATION.

Commerce depends on facilities of intercommunication and intercourse. Without them it is impossible. With poor facilities it is speculative, uncertain, because of the time and risk involved. Quick communication reduces the capital needed and makes frequent "turnover" possible.

If the purchaser and seller at distant points can get into quick communication, business can be done on small margin. If days, weeks, or months are necessary to complete the purchase and sale, the margin must be relatively large at the expense of the producer.

Quick, cheap, abundant, dependable facilities of intercourse and transportation are necessary in the development of regular commerce. We are building the ships, and ships can be transferred from one port to another as commerce demands. To keep our ships and our mercantile agents in touch with home ports and home offices, we are now dependent on facilities centering on the other side of the ocean.

My efforts toward an intranational and international electric communication system are of long standing. The whole development of the Bell telephone system from the beginning was based on comprehensive intercommunicating system by wire. When the American Telephone & Telegraph Co. bought the Western Union its first attempt was to secure trans-Atlantic cables by laying one and leasing several. Some new and beneficial services were inaugurated, more were contemplated. It was our intention to develop this system and ultimately bring the United States into focus with the great arterial cable systems throughout the world. The combination was not then countenanced by the Government.

If the United States is to maintain commercial supremacy or even equality there must be established the great trade forerunners, which in these days of intense activity is a comprehensive cable system. If American commerce is to be developed it must have better means of communication at a cost which will not handicap a large volume of business at a small profit. The days of small business and of large profits passed with the clipper ships and indifferent mail communication.

Mail communication is by far too slow for commercial development in these days. Wireless communication is yet far from perfect, and while it has its place and an important one, it is not probable that it will ever be dependable. The only existing method of quick communication is by the wire and cable. These facilities take time and enterprise to establish. Cable construction and laying take time, and cables can not be readily moved from an original location except by reconstruction.

Where abundant facilities exist, however, if under one control, they can oftentime be readily and quickly rearranged and connected to suit changing conditions.

The world's system of international electric communication, largely cable, while comprehensive, abundant, and efficient, has been built up primarily on the basis of connecting the commercial world with the Old World centers; focusing these world facilities, as it were, on the Old World's centers of finance, commerce, and industry. National prestige, local interests, competitive enterprise have influenced location, extension, and combinations so that these facilities are not in all cases arranged to be productive of the maximum possibilities of either broad efficiency or the greatest economy.

The United States is connected with this world system, but on one side as a contributing field to be reached and exploited and not primarily as a center. This must be changed and the United States put into its relative world position, put into the focus of a world system of electrical intercommunication, as one of the most, if not the most, important center of commerce, industry, and finance that full advantage may be taken of its position and the opportunities now existing.

We must give our commerce what it needs and what the commerce of the old countries already has. Our international wire service has become a "utility of necessity" and must be treated accordingly.

From the United States to the greater part of the world electrical intercommunication is expensive and roundabout.

While we have communication with South America, our South American electrical communication now goes through several intermediate countries and the interchange between the eastern coasts of North America and South America has to cross either

two continents or two oceans. While we have one cable between the Pacific coast of America and the Pacific coast of Asia, one cable for such a distance and such an extent must necessarily be uncertain and more or less indirect. The east coast of South America must have a direct cable to the United States entirely under control of American interests and not a foreign connection. There must be a North Pacific cable connecting the United States wire system with the Asiatic wire and cable system, and an alternate route to Europe across the Eastern Continent. Where our communication must necessarily pass through other countries we should have alternate routes passing through different countries.

By utilizing and unifying the operations of the existing and abundant transatlantic cable facilities, direct connection can be established with every country in Europe through some immediate rearrangement, and as soon as possible some relaying, relocating, some extension of the old and the laying of some new cables.

While private property must be respected, proprietary rights should not be allowed to obstruct this solution, any more than proprietary rights of any utility should prevent regulated or controlled operation. The constitutional rights in each case are identical.

While our national wire systems are wasteful in superfluous plant, our international wire systems are correspondingly as deficient, especially in the location and arrangement of plant.

To meet our national requirements we must have a combined intra and inter national electric transmission service which will place all of our great centers in quick and close and available communication with the great centers of every country with which we have developed or potential business.

The United States must be brought into the center of a world system of electrical intercommunication. Its ships and merchants must not depend upon the gracious courtesy of any other country to get direct home wire communication. If there is not, there should be an international comity which will allow this. If done thoroughly, this must be done under the ægis of governmental authority, through specially shaped legislation. Much can be done by the present cable systems combining and operating in close connection with the land systems. To do a thorough piece of work, however, there must be considerable expenditure of capital on relocation, extension, etc., and if we are to have an independent international cable system we must be independent of foreign cable manufacture. For our extensions and repairs we must not be dependent upon any other nation. In an international system there would be sufficient demand to warrant the establishment of a cable-manufacturing plant in the United States.

The most immediate part of the program, the part that will bring the quickest results, is the unifying and coordinating of the existing cable systems, followed as quickly as possible by such relocating as can be done at once, and by laying as soon as possible the east coast cable.

This country is spending thousands of millions of dollars to build ships to compete for foreign commerce, and yet leaves the very "essential" to the building up of foreign commerce—quick, reliable intercommunication—entirely to private initiative and to foreign enterprise. With as many tens of millions and the cooperation of the existing cable companies controlled in the United States, a system could be built up which would put the business of the United States, as it were, at the front door of every business house of the world; and while it would need Government aid at the start and until established, it will be indirectly profitable from the start, and without doubt will be profitable in time.

I do not think there is any question about the wisdom of the policy, one grand system reaching to all countries with which we have relations, extending as rapidly as possible to all other countries in which potentialities exist, fostered by the Government at the start. It is to be regretted that the questions of Government ownership and of superior foreign rights have been brought into this cable question to handicap the solution of this big and most important problem, which must be settled from an American standpoint by some coordinated, correlated combination of Government authority and private operation or operation founded on the best traditions of private operation free from political interference and combined in a federalized corporation.

When all this is done, working in close connection with or under the close supervision of the land system, the United States would have the most complete, comprehensive system of world intercourse and intercommunication in existence.

This can not be done directly by the Government, although some Government encouragement and aid at the start will be needed. There are many points of an agreement to be reached between alien individuals and corporations, there will be much dealing with the respective Governments which would be confined to the interests and questions involved if conducted by private individuals, but which might become international questions, although purely local, if the Government were directly involved.

If, however, all the advantages of the Government prestige, together with the admitted advantages of private operation under Government control could be obtained, it could be done by some new organization or by one of the old organizations as a nucleus about which to create the system—this corporation to be federalized and under Government auspices and regulation.

The attempt recently made to make an international question or raise a question as to the right of the United States Government to direct the operation of cables, owned and controlled and terminating in the United States, so as to obtain the greatest efficiency in a time of abnormal demands, emphasizes the fact that the United States should have at least equal facilities to those of other countries and at least equal control over the facilities terminating in the United States.

There must be no question as to the right or the necessity of the United States to build up a commercial international wire system, of which the United States is the center, instead of remaining at one side of an international system which centers in the English Channel. Nor should there be any such a spectacle as an American-owned company obstructing the creation of an all-American cable system.

For what is the United States spending thousands of millions of dollars on means of transportation of American commerce if it is to have no abundant available facilities for the agents who spread that commerce and if the ships that carry it can not have a ready communication without the consent of any foreign nation?

Under the comity of nations in times of peace, citizens, mail carriers, ships, etc., have, subject to reasonable regulation, the right to land, and to cross or pass in transit to other countries. The mails are communications of intelligence. The cable is a facility of intercourse and intercommunication—a carrier of intelligence. There should be—subject to reasonable and necessary regulations and restrictions, such as a sovereign country has the right to, and must prescribe for its own protection—the same rights as to the electrical transmission of intelligence.

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In making this reply it has been my desire to present the actual conditions and salient features of electric communication and the possibilities of the future.

While some suggestions are made in this communication as to the requisite features of the future organization of these systems, no attempt has been made to set out the details of such a plan. If so requested, it would give me great pleasure to furnish your committee with more detailed suggestions as to what would in my opinion be the most practical solution.

Respectfully submitted.

THEO. N. VAIL.

The following is a summary of the contents of a letter written to Hon. JOHN A. MOON, chairman Committee on the Post Office and Post Roads, House of Representatives, Washington, D. C., upon his request by Theodore N. Vail, of the American Telephone & Telegraph Co. The letter refers to House bill 368.

It is admitted that the great utilities of interchange and intercommunication, which have been so largely instrumental in the development of the economic and social world, and upon which the progress and continuity of such development depends, are suffering from the application and interpretation of existing laws concerning control and regulation, and the proposed bill calls for time to enable some plan of organization to be perfected.

There is, without doubt, an opportunity for a great piece of beneficial and constructive work by combining and coordinating all the various existing utility services, or those that are complementary and supplementary, into one or more well-balanced systems, the extent of which should be determined by the nature of the service, by the extent of the service rendered, and by commercial, geographic, economic reasons, and by combining in a direct manner, and as far as possible divorced from political or partisan or class influence, the requisite power and authority of the Federal Government expressed in a mandate to equilibrate revenue, operating costs, and capital charges, with an operating organization adapted to the requirements of the service and based on the methods which experience, enterprise, and operation in the industrial world have shown to be effective, efficient, and economical.

It is not my understanding that this bill is a Government ownership and operating measure, but rather a definite purpose to give sufficient time to prepare and present to Congress a specific proposition for reorganization which will work for

efficiency and economy of the international and intranational wire systems operated and controlled from the United States. There would seem to be no question as to the wisdom of such program.

A thoroughly considered, well thought-out solution can not be prepared under pressure or in a short time.

It is recognized that in the interests of the public, the utilities should not be returned to the owners without some correction of the existing deficiencies in regulation and control, hence it would seem highly desirable for the country and for the proprietors that time should be given for such a solution.

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The principal problem will be to find a plan which will not leave opportunity for, and perpetuate in some other form, the same evils which now exist in the multiplicity of uncorrelated, irresponsible, complex, contradictory, and overlapping forms of control or regulation, or leave opportunity for unjudicial and biased action or selfish aggression.

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ELECTRICAL TRANSMISSION OF INTELLIGENCE.

It has developed early in the evolution of the telephone service that while there were common features in the technique, the service rendered was entirely distinct from the telegraph, each having its own particular field, not competitive but complementary. Long before the common use of the wire plant for both purposes was developed the advantage of a combined system of telegraph and telephone under one control was recognized.

The science of industrial application of electricity is almost as new as the telephone. The whole telephone art had to be created. It did not exist, nor was there, as is usual in new enterprises, anything analogous to it upon which to base action and policy. On pages 2, 3, and 4 of the letter (proof) will be found a more or less detailed account of the evolution of the art of electrical transmission of intelligence, and the inevitable conclusion to be drawn from that experience, which is the wire system of the future, will be one nation-wide system, under single control, by or over which direct connection can be established between any two places for the electrical transmission of any communication or of the spoken word, and every individual place will be the center of the system for transmission in any direction to the limit of transmission.

With less than half the weight of copper that was formerly used to transmit one conversation it is now possible to transmit over one wire circuit at the same time at least five and one-half telephonic messages and a large multiple of the number of telegraph messages formerly possible.

It can be safely said that with the same weight of copper which was formerly required for one telegraph or one telephone circuit, ten or twelve times the telephone and telegraph use is now possible at any one time, and when we consider the total capacity which in the telephone system is unutilized at certain hours, many new services in addition which would be of great benefit to our commercial and economic and social organizations can be introduced. Distant accomplishment is usually foreshadowed by present evidence, and, judging from the past, there is abundant evidence that the future accomplishments will be greater than any that have gone before.

The measure of the extent and comprehensiveness of the future wire system is and always will be the telephone system.

Upon the interconnecting system of wires necessary for telephone purposes, every other possible form of electrical wire transmission of intelligence or exchange of ideas can be superimposed with abundant room for a great expansion of new and cheaper services.

On pages 3 and 4 of the letter (proof) will be found some interesting features of the Bell system.

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CABLES.

Should the United States become the center of a cable system commensurate with and sufficient to fully protect its political and economic position?

Submarine cable plant is the most costly plant for electrical transmission of intelligence. The coordinated operation of all cables giving more or less similar service is essential if the most effective cable service is to be had at the lowest possible cost. A certain percentage of cables are out of commission more or less of the time. These interruptions of individual cables extend over long periods, at times a year or more.

If operation is coordinated, the total capacity is greater than the total capacity of the systems operated separately, and other but less direct routes can be used to cover periods of emergency.

There is on any cable system a variable load, determined largely by the difference in time and the overlapping business hours in the various countries between which the transmission takes place. This results in a large percentage of unused facilities, which under unified operation could be used for circuitous transmission in an emergency or in competition with direct service or for deferred services at cheaper rates where a little delay is immaterial.

Quick, cheap, abundant, dependable facilities of intercourse and transportation are necessary in the development of regular commerce. If the United States is to maintain commercial supremacy or even equality, there must be established the great trade forerunners, which in these days of intense activity is a comprehensive cable system. If American commerce is to be developed, it must have better means of communication at a cost which will not handicap a large volume of business at a small profit. The days of small business and of large profits passed with the clipper ships and indifferent mail communication.

Cable construction and laying take time, and cables can not be readily removed from an original location except by reconstruction.

The world's system of international electric communication has been built up primarily on the basis of connecting the commercial world with the old centers; focusing these world facilities, as it were, on the Old World's centers of finance, commerce, and industry. National prestige, local interests, competitive enterprise have influenced location, extension, and combinations so that these facilities are not in all cases arranged to be productive of the maximum possibilities of either broad efficiency or the greatest economy.

The United States is connected with this world system, but on one side as a contributing field to be reached and exploited and not primarily as a center.

We must give our commerce what it needs and what the commerce of the old countries already has. Our international wire service has become a "utility of necessity" and must be treated accordingly.

From the United States to the greater part of the world electrical intercommunication is expensive and roundabout.

By utilizing and unifying the operations of the existing and abundant trans-Atlantic cable facilities direct connection can be established with every country in Europe through some immediate rearrangement, and as soon as possible some relaying, relocating, some extension of the old, and the laying of some new cables.

While private property must be respected, proprietary rights should not be allowed to obstruct this solution any more than proprietary rights of any utility should prevent regulated or controlled operation. The constitutional rights in each case are identical.

The United States must be brought into the center of a world system of electrical intercommunication. Its ships and merchants must not depend upon the gracious courtesy of any other country to get direct home wire communication.

This country is spending thousands of millions of dollars to build ships to compete for foreign commerce and yet leaves the very "essential" to the building up of foreign commerce—quick, reliable intercommunication—entirely to private initiative and to foreign enterprise. With as many tens of millions and the cooperation of the existing cable companies controlled in the United States a system could be built up which would put the business of the United States, as it were, at the front door of every business house of the world.

Of what use will be the expenditure of money and effort in behalf of American commerce if there are to be no abundant available facilities of communication for the agents who spread that commerce and if the ships that carry it can not have a ready communication without the consent of any foreign nation?

It is to be regretted that the questions of Government ownership and of superior foreign rights have been brought into this cable question to handicap the solution of this big and most important problem, which must be settled from an American standpoint by some coordinated and correlated combination of Government authority and private operation or operation founded on the best traditions of private operation free from political interference and combined in a federalized corporation.

There must be no question as to the right or the necessity of the United States to build up a commercial international wire system of which the United States is the center instead of remaining at one side of an international system which centers in the English Channel. Nor should there be any such a spectacle as an American-owned company obstructing the creation of an all-American cable system.

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In making this reply it has been my desire to present the actual conditions and salient features of electric communication and the possibilities of the future.

Post Office Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM W. GRIEST,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 17, 1918.

Mr. GRIEST. Mr. Speaker, for the information of the Congress I will place in the RECORD a compilation showing how the village delivery service, an appropriation for which is included on page 23 of the pending Post Office appropriation bill, has grown from one experimental office, established in the ninth congressional district of Pennsylvania in 1912, to 552 offices which now enjoy the benefits of this service under permanent law. The offices are well distributed throughout the Union, being in operation in 228 congressional districts in 43 States. The reports are so uniformly favorable as to the success of this method of mail delivery that the department has withdrawn former opposition and, in addition, urges its establishment "in communities adjacent to cities having city delivery." In view of the great growth of the village delivery and the demand for its extension both in towns of less than 10,000 population and in communities adjacent to cities, the House Post Office Committee increased the appropriation from $720,000, the amount carried in the last Post Office bill, to $1,250,000. This is a conservative increase, is fully warranted, and I trust will become law.

A tabulated statement of village delivery offices follows:

State.	Office.	Population.	In congressional district of—
Alabama	Florala	2,439	Hon. S. Hubert Dent, jr.
	Harteells	1,374	Hon. Edward B. Almon.
	Tuscumbia	3,324	Do.
	Montevallo	923	Hon. Fred L. Blackmon.
	Piedmont	2,226	Do.
	Sylacauga	1,456	Do.
	Roanoke	2,034	Hon. J. Thomas Heflin.
	Russellville	2,400	Hon. William B. Bankhead.
	Union Springs	4,055	Hon. Henry B. Steagall.
Arizona	Tempe	1,800	Hon. Carl Hayden.
Arkansas	Atkins		Hon. Henderson M. Jacoway.
	Clarksville	1,700	Do.
	Dardanelle	1,757	Do.
	Morrilton	2,900	Do.
	Ozark	1,146	Do.
	Benton	2,400	Hon. Samuel M. Taylor.
	Malvern	2,778	Do.
	McGehee	1,157	Do.
	Booneville	1,631	Hon. Otis Wingo.
	De Queen	2,018	Do.
	Nashville	2,374	Do.
	Van Buren	4,500	Do.
	Crossett	2,038	Hon. William S. Goodwin.
	Dermott	1,662	Do.
	Magnolia	2,046	Do.
	Stamps	2,316	Do.
	Wynne	2,353	Hon. Thaddeus H. Caraway.
	Monticello	2,274	Hon. Samuel M. Taylor.
California	Azusa	1,477	Hon. Charles H. Randall.
	Covina	1,652	Do.
	Glendora		Do.
	San Dimas		Do.
	San Fernando		Do.
	Sierra Madre	1,303	Do.
	Gridley	987	Hon. Clarence F. Lea.
	Willits	2,000	Do.
	Huntington Beach	815	Hon. William Kettner.
	La Jolla		Do.
Colorado	Fowler	925	Hon. Edward Keating.
	Littleton	1,600	Hon. Charles B. Timberlake.
Connecticut	Collinsville		Hon. Augustine Lonergan.
	Farmington	3,478	Do.
	Forrestville		Do.
	Glastonbury	4,796	Do.
	Kensington		Do.
	Plantsville		Do.
	Suffield	3,841	Do.
	Unionville		Do.
	Windsor	4,178	Do.
	Guilford	1,475	Hon. John Q. Tilson.
Delaware	Delmar	530	Hon. Albert F. Polk.
	Harrington	1,500	Do.
	Lewes	2,158	Do.
	Middletown	1,399	Do.
	New Castle	3,351	Do.
	Smyrna	1,834	Do.
Florida	Apalachicola	3,065	Hon. Walter Kehoe.
	Chipley	1,099	Do.
	De Funiak Springs	2,017	Do.
	Marianna	1,915	Do.
	Milton	831	Do.
	Panama City	422	Do.
	Monticello	2,000	Hon. Frank Clark.
	Tarpon Springs		Hon. Herbert J. Drane.
Georgia	Ashburn	2,214	Hon. Charles R. Crisp.
	Cuthbert	3,210	Do.
	Montezuma	1,630	Do.
	Richland	1,250	Do.
	Vienna	1,564	Do.
	Blakely	1,838	Hon. Frank Park.
	Cairo	1,505	Do.
	Camilla	1,827	Do.
	Pelham	1,880	Do.
	Sylvester	1,447	Do.
	Buford	1,683	Hon. Theodore M. Bell.
	Commerce	2,238	Do.
	Lawrenceville	1,581	Do.
	Winder	2,443	Do.
	Calhoun	1,850	Hon. Gordon Lee.
	La Fayette	1,590	Do.
	Rock Mart	1,034	Do.
	Rossville	1,059	Do.
	Cochran	1,638	Hon. William W. Larsen.
	Eastman	2,358	Do.
	Hawkinsville	4,200	Do.
	McRae	1,160	Do.
	Vidalia	1,776	Do.
	Wrightsville	1,389	Do.
	Conyers	1,919	Hon. William Schley Howard.
	Decatur	3,000	Do.
	Douglasville	1,462	Do.
	Forsyth	2,500	Hon. James W. Wise.
	Jackson	1,862	Do.
	Mogticello	1,508	Do.
	Thomaston	1,645	Do.
	Hartwell	2,007	Hon. Charles H. Brand.
	Monroe	3,029	Do.
	Louisville	1,039	Hon Carl Vinson.
	Sandersville	2,641	Do.
	Sparta	1,715	Do.
	Tennille	1,622	Do.
	Thomson	2,151	Do.
	Warrenton	1,368	Do.
	Millen	2,030	Hon. James W. Overstreet.
	Sylvania	1,500	Do.
	Waynesboro	2,720	Do.
	Manchester	922	Hon. William C. Wright.
Illinois	Altamount	1,328	Hon. Martin D. Foster.
	Carlyle	1,932	Do.
	Oblong	1,482	Do.
	Sumner	1,413	Do.
	Arlington Heights	1,943	Hon. Niels Juul.
	Assumption	1,918	Hon. Loren E. Wheeler.
	Staunton	5,048	Do.
	Carrollton	2,323	Hon. Henry T. Rainey.
	Carterville	3,100	Hon. Edward E. Denison.
	Chester	2,747	Do.
	Christopher	1,825	Do.
	Pinckneyville	2,800	Do.
	Casey	2,157	Hon. Joseph G. Cannon.
	Chrisman	1,193	Do.
	Georgetown	3,000	Do.
	Milford	1,316	Do.
	Westville	2,607	Do.
	Chillicothe	1,851	Hon. Clifford Ireland.
	Downers Grove	2,601	Hon. Ira C. Copley.
	Lockport	2,555	Do.
	West Chicago	2,378	Do.
	Eldorado	3,366	Hon. Thomas S. Williams.
	Homer	1,130	Hon. William B. McKinley.
	Winsor	987	Do.
	Knoxville	1,818	Hon. Edward J. King.
	Lanark	1,175	Hon. John C. McKenzie.
	Leroy	1,702	Hon. John A. Sterling.
	New Athens	1,200	Hon. William A. Rodenberg.
	Warsaw	2,254	Hon. William J. Graham.
Indiana	Albion	1,213	Hon. Louis W. Fairfield.
	Butler	1,818	Do.
	Lagrange	1,772	Do.
	Argos	1,089	Hon. Henry A. Barnhart.
	Knox	1,544	Do.
	Batesville	2,151	Hon. Lincoln Dixon.
	Edinburg	2,040	Do.
	Greenwood	1,608	Do.
	Vevay	1,256	Do.
	Hope	1,400	Do.
	Bicknell	2,794	Hon. Oscar E. Bland.
	Jasonville	3,269	Do.
	Loogootee	2,151	Do.
	Mooresville	1,608	Do.
	Worthington	1,732	Do.
	Boonville	3,934	Hon. George K. Denton.
	Oakland City	2,370	Do.
	Petersburg	2,170	Do.
	Rockport	3,000	Do.
	Cambridge City	2,237	Hon. Richard N. Elliott.
	Brookeville	2,169	Do.
	Knightstown	2,008	Do.
	Liberty	1,338	Do.
	Cannelton	2,130	Hon. William E. Cox.
	Corydon	1,703	Do.
	Huntingburg	2,404	Do.
	Jasper	2,190	Do.
	Mitchell	3,434	Do.
	Salem	2,283	Do.
	Tell City	3,300	Do.
	Clay City	1,213	Hon. Everett Sanders.
	Danville	1,640	Do.
	Rockville	1,943	Do.
	West Terre Haute	3,083	Do.
	Dunkirk	3,031	Hon. Albert H. Vestal.
	Sheridan	1,768	Hon. Fred S. Purnell.

State.	Office.	Population.	In congressional district of—
Iowa	Belmond	1,350	Hon. Burton E. Sweet.
	Columbus Junction	1,185	Hon. Charles A. Kennedy.
	New London	1,144	Do.
	Wapello	1,326	Do.
	Coon Rapids	1,200	Hon. Frank P. Woods.
	Guthrie Center	1,600	Hon. William R. Green.
	Lenox	1,274	Hon. Horace M. Towner.
	Seymour	2,200	Do.
	Mapleton	1,100	Hon. George C. Scott.
	Marengo	1,768	Hon. Harry E. Hull.
	West Liberty	1,666	Do.
Kansas	Bonner Springs	1,462	Hon. Edward C. Little.
	Garnett	2,334	Do.
	Burlingame	1,422	Hon. Dudley Doolittle.
	Burlington	2,180	Do.
	Eureka	2,333	Do.
	Marion	1,841	Do.
	Peabody	1,416	Do.
	St. Marys	1,397	Do.
	Yates Center	2,024	Do.
	Wamego	1,900	Do.
	Goodland	1,994	Hon. John R. Connelly.
	Lincoln	1,508	Do.
	Mankato	1,155	Do.
	Osborne	1,566	Do.
	Halstead	1,004	Hon. William A. Ayres.
	Lindsborg	1,939	Do.
	Sabetha	1,768	Do.
	Harper	1,638	Hon. Jouett Shouse.
	Hoisington	1,975	Do.
	Meade	664	Do.
	Medicine Lodge	1,229	Do.
	St. John	1,800	Do.
	Stafford	1,927	Do.
	Ness City	712	Do.
	Minneapolis	1,925	Hon. Guy T. Helvering.
	Washington	1,547	Do.
Kentucky	Carlisle	1,433	Hon. William J. Fields.
	Carrollton	3,000	Hon. Arthur B. Rouse.
	Williamstown	800	Do.
	Falmouth	1,180	Do.
	Clinton	1,497	Hon. Alben W. Barkley.
	Murray	2,089	Do.
	Princeton	3,015	Do.
	Hickman	2,736	Do.
	Dawsonsprings	1,350	Hon. David H. Kincheloe.
	Morganfield	2,725	Do.
	Providence	2,084	Do.
	Sturgis	1,467	Do.
	Eminence	1,274	Hon. James C. Cantrill.
	La Grange	1,152	Do.
	Franklin	3,063	Hon. Robert Y. Thomas, jr.
	Russellville	3,300	Do.
	Lawrenceville	1,723	Hon. Harvey Helm.
	Stanford	1,700	Do.
	Pikeville	1,280	Hon. John W. Langley.
Louisiana	Jeanerette	2,206	Hon. Whitmell P. Martin.
	Mansfield	2,000	Hon. John T. Watkins.
Maine	Boothbay Harbor	2,021	Hon. Wallace H. White, jr.
	Mechanic Falls		Do.
	Richmond	1,888	Do.
	Thomaston	2,205	Do.
	Bridgton	1,474	Hon. Louis B. Goodall.
	Kennebunk	2,300	Do.
	Old Orchard	961	Do.
	Springvale		Do.
	York Beach		Do.
	Fairfield	2,801	Hon. John A. Peters.
	Lubec	3,363	Do.
	Machias	2,089	Do.
	Oakland	2,257	Do.
	Winthrop	1,114	Do.
	Fort Fairfield	1,620	Hon. Ira G. Hersey.
	Orono	3,555	Do.
Maryland	Lonaconing	1,553	Hon. Frederick N. Zihlman.
	Princess Anne	1,009	Hon. Jesse D. Price.
	Snow Hill	1,844	Do.
Massachusetts	Baldwinsville	2,000	Hon. Calvin D. Paige.
	Indian Orchard	6,000	Hon. Frederick H. Gillett.
	North Easton		Hon. Richard Olney.
	Randolph	4,301	Do.
	Yarmouth Port	800	Hon. Joseph Walsh.
Michigan	Bangor	1,158	Hon. Edward L. Hamilton.
	Hartford	1,268	Do.
	Plainwell	1,600	Do.
	Birmingham	1,607	Hon. Patrick H. Kelley.
	Royal Oak	1,071	Do.
	Blissfield	1,474	Hon. Samuel W. Beakes.
	Bronson	1,020	Do.
	Morenci	1,700	Do.
	Clare	1,350	Hon. Gilbert A. Currie.
	Durand	2,315	Hon. Joseph W. Fordney.
	Fremont	2,000	Hon. James C. McLaughlin.
	Harbor Beach	1,556	Hon. Louis C. Cramton.
	Quiney	1,347	Hon. John M. C. Smith.
	Vicksburg	1,624	Do.
	Reed City	1,690	Hon. Frank D. Scott.
Minnesota	Ada	1,432	Hon. Halvor Steenerson.
	Zumbrota	1,200	Hon. Charles R. Davis.
	North St. Paul	1,404	Hon. Carl C. Van Dyke.
	White Bear Lake	1,565	Do.
Mississippi	Booneville	1,378	Hon. Ezekiel S. Candler.
	Starkville	2,698	Do.
	Ittabena	1,800	Hon. Benjamin G. Humphreys.
	Sardis (effective Jan. 1, 1919).	1,406	Hon. Hubert D. Stephens.
Missouri	Appleton City	1,018	Hon. Clement C. Dickinson.
	Eldorado Springs	2,503	Do.
Missouri (contd.)	Harrisonville	1,947	Hon. Clement C. Dickinson.
	Holden	2,007	Do.
	Pleasant Hill	2,065	Do.
	Rich Hill	2,755	Do.
	Bethany	1,931	Hon. Joshua W. Alexander.
	Gallatin	1,825	Do.
	Plattsburg	1,309	Do.
	Princeton	1,383	Do.
	Bolivar	1,975	Hon. Courtney W. Hamlin.
	Higginsville	2,628	Do.
	Odessa	1,531	Do.
	Slater		Do.
	Brunswick	1,606	Hon. William W. Rucker.
	Huntsville	2,247	Do.
	Keytesville	963	Do.
	Marceline	3,920	Do.
	Milan	2,191	Do.
	Monroe City	1,949	Do.
	Paris	1,474	Do.
	Norborne	1,341	Do.
	Salisbury	1,834	Do.
	Canton	2,218	Hon. Milton A. Romjue.
	Edina	1,562	Do.
	Kahoka	1,758	Do.
	Memphis	1,984	Do.
	Shelbina	2,174	Do.
	Unionville	2,000	Do.
	Carterville	4,539	Hon. Perl D. Decker.
	Pierce City	2,000	Do.
	Festus	2,556	Hon. Walter L. Hensley.
	Perryville	1,708	Do.
	Ste. Genevieve	1,967	Do.
	Lebanon	2,500	Hon. Thomas L. Rubey.
	Marshfield	1,193	Do.
	Jackson	2,300	Hon. Joseph J. Russell.
	Savannah	1,860	Hon. Charles F. Booher.
	Tarkio	1,966	Do.
	Washington	3,670	Hon. Champ Clark.
Nebraska	Franklin	949	Hon. Ashton C. Shallenberger.
	Minden	1,559	Do.
	Pierce	1,500	Hon. Dan V. Stephens.
	Wynore	2,613	Hon. Charles H. Sloan.
New Hampshire	Bristol		Hon. Edward H. Wason.
	Whitefield		Do.
	Woodsville	2,200	Do.
New Jersey	Allenhurst	300	Hon. Thomas J. Scully.
	Bradley Beach	1,807	Do.
	Keansburg		Do.
	Leonia	2,200	Hon. John R. Ramsey.
	Pleasantville	2,500	Hon. Isaac Bacharach.
New York	Baldwin		Hon. Frederick C. Hicks.
	Manhasset		Do.
	Dundee	1,227	Hon. Norman J. Gould.
	East Syracuse	2,374	Hon. Walter W. Magee.
	Falconer	2,141	Hon. Charles M. Hamilton.
	Franklinville	1,568	Do.
	Mayville	1,200	Do.
	Hamburg	2,134	Hon. William F. Waldow.
	Middleport	1,530	Hon. S. Wallace Dempsey.
	Norwood	2,000	Hon. Bertrand H. Snell.
	Painted Post	1,400	Hon. Harry H. Pratt.
	Schuylerville	1,014	Hon. James S. Parker.
	Union	1,544	Hon. George W. Fairchild.
	Whitesboro	2,375	Hon. Homer P. Snyder.
North Carolina	Albemarle	2,116	Hon. Robert L. Doughton.
	Mooresville	3,400	Do.
	Kannapolis (effective Jan. 1, 1919).		Do.
	Canton	1,393	Hon. Zebulon Weaver.
	Morehead City	2,039	Hon. George E. Hood.
	Mount Olive	1,071	Do.
	Newton	3,000	Hon. Edwin Y. Webb.
	Smithfield	1,347	Hon. Edward W. Pou.
	Williamstown	1,574	Hon. John H. Small.
North Dakota	Crosby	206	Hon. Patrick D. Norton.
	Enderlin	1,540	Hon. John M. Baer.
Ohio	Amherst	2,106	Hon. Benjamin F. Welty.
	Bluffton	1,953	Do.
	Coldwater	869	Do.
	Covington	1,848	Do.
	Versailles	1,580	Do.
	Byesville	3,156	Hon. George White.
	Camden	899	Hon. Warren Gard.
	Germantown	1,778	Do.
	West Carrollton	1,285	Do.
	Cardington	1,349	Hon. John A. Key.
	Carey	2,255	Do.
	Dunkirk	1,109	Do.
	Forest	1,285	Do.
	Chardon		Hon. Henry I. Emerson.
	Gibsonburg	1,864	Hon. Arthur W. Overmyer.
	North Baltimore	2,503	Do.
	Perrysburg	1,913	Do.
	Willard	1,542	Do.
	Jeffersonville	628	Hon. Simeon D. Fess.
	Richwood	1,729	Do.
	Loudonville	1,800	Hon. William A. Ashbrook.
	Plymouth	1,314	Do.
	Montpelier	2,759	Hon. John S. Snook.
	Swanton	1,200	Do.
	Paulding	2,500	Do.
Oklahoma	Checotah	1,683	Hon. William W. Hastings.
	Eufaula	1,307	Do.
	Sallisaw	2,479	Do.
	Stigler	1,583	Do.
	Tallequah	2,891	Do.
	Cordell	1,959	Hon. James V. McClintic.
	Snyder	1,122	Do.
	Dewey	2,400	Hon. Thomas A. Chandler.

State.	Office.	Population.	In congressional district of—
Oklahoma (contd.).	Edmond	2,060	Hon. Joseph B. Thompson.
	Wynne Wood	2,002	Do.
	Poteau	1,850	Hon. Charles D. Carter.
	Sulphur	3,225	Hon. Joseph B. Thompson.
Oregon	Cottage Grove	1,834	Hon. Willis C. Hawley.
	Lebanon	1,820	Do.
	Enterprise	1,242	Hon. Nicholas J. Sinnott.
	Prineville	1,042	Do.
Pennsylvania	Annville		Hon. Aaron S. Kreider.
	Hummelstown	2,128	Do.
	Williamstown	2,904	Do.
	Bellwood	2,277	Hon. John M. Rose.
	Everett	1,725	Do.
	Gallitzin	3,504	Do.
	Portage	2,954	Do.
	Roaring Spring	1,903	Do.
	South Fork	4,592	Do.
	Berlin	1,336	Hon. Bruce F. Sterling.
	Dunbar	1,970	Do.
	Fairchance	1,760	Do.
	Masontown	890	Do.
	Point Marion	1,389	Do.
	South Brownsville	3,945	Do.
	Bridgeport	3,860	Hon. Henry W. Watson.
	Perkasie	2,779	Do.
	Bridgeville	1,983	Hon. Guy E. Campbell.
	Clairton	3,326	Do.
	Catawissa	1,930	Hon. John V. Lesher.
	Northumberland	3,517	Do.
	Watsontown	1,950	Do.
	Curwensville	2,549	Hon. Charles H. Rowland.
	Elizabeth	2,311	Hon. M. Clyde Kelly.
	Glassport	5,540	Do.
	Ephrata	3,300	Hon. William W. Griest.
	Manheim	2,202	Do.
	Marietta	2,079	Do.
	Mount Joy	2,166	Do.
	Ford City	4,850	Hon. Nathan L. Strong.
	Freeland	7,300	Hon. Thomas W. Templeton.
	Shickshinny	1,917	Do.
	White Haven	1,500	Do.
	Girardville	4,396	Hon. Robert D. Heaton.
	Orwigsburg	1,801	Do.
	Pine Grove	1,352	Do.
	St. Clair	6,455	Do.
	Greencastle	1,919	Hon. Benjamin K. Focht.
	Mifflinburg	1,559	Do.
	Mifflintown	954	Do.
	Selinsgrove	1,473	Do.
	Newport	1,000	Do.
	Hawley	2,018	Hon. Louis T. McFadden.
	Troy	1,288	Do.
	Milford	872	Hon. Henry J. Steele.
	Weatherly	2,501	Do.
	Mount Pocono		Do.
	Natrona		Hon. Stephen G. Porter.
	Parkesburg	2,522	Hon. Thomas S. Butler.
	Spring City	3,000	Do.
	Red Lion	2,092	Hon. Andrew R. Brodbeck.
	Wrightsville	2,025	Do.
	Sharpsville	3,634	Hon. Earl H. Beshlin.
	Tidioute	1,324	Do.
	Peckville	4,000	Hon. John R. Farr.
	Burgettstown	1,268	Hon. Henry W. Temple.
Rhode Island	Pascoag	2,500	Hon. Ambrose Kennedy.
South Carolina	Allendale	1,453	Hon. James F. Byrnes.
	Bamberg	1,937	Do.
	Barnwell	1,324	Do.
	Beaufort	2,480	Do.
	Blackville	2,400	Do.
	Edgefield	1,771	Do.
	Johnston	943	Do.
	Batesburg	1,955	Hon. Asbury F. Lever.
	Bishopville	1,659	Do.
	Branchville	2,500	Do.
	St. Matthews	1,377	Do.
	Belton	1,650	Hon. Fred H. Dominick.
	Easley	2,983	Do.
	Seneca	1,313	Do.
	Walhalla	1,595	Do.
	Westminster	1,576	Do.
	Cheraw	2,873	Hon. William F. Stevenson.
	Lancaster	2,200	Do.
	York	2,326	Do.
	Winnsboro	2,000	Do.
	Conway	1,228	Hon. J. Willard Ragsdale.
	Dillon	2,000	Do.
	Kingstree	1,372	Do.
	Lake City	1,074	Do.
	Mullins	1,832	Do.
	Timmonsville	1,708	Do.
	Greer	1,673	Hon. Samuel J. Nicholls.
	Woodruff	1,880	Do.
	Manning	1,854	Hon. Richard S. Whaley.
	Walterboro	1,677	Do.
South Dakota	Chamberlain	1,275	Hon. Charles H. Dillon.
	Clark	1,220	Hon. Royal C. Johnson.
	Miller	1,202	Do.
	Gregory	1,142	Hon. Harry L. Gandy.
	Winner		Do.
Tennessee	Cookeville	1,848	Hon. Cordell Hull.
	Dayton	1,991	Do.
	Gallatin	3,000	Do.
	Elizabethton	2,478	Hon. Sam R. Sells.
	Newport	2,002	Do.
	Etowah	1,685	Hon. John A. Moon.
	McMinnville	2,359	Do.
	South Pittsburg	2,108	Do.
	Sparta	1,409	Do.
Tennessee (contd.).	Sweetwater	1,850	Hon. John A. Moore.
	Huntingdon	1,112	Hon. Thetus W. Sims.
	Lexington	1,497	Do.
	McKenzie	2,000	Do.
	Kenton	1,200	Hon. Finis J. Garrett.
	Milan	1,606	Do.
	Ripley	2,011	Do.
	Lawrenceburg	1,637	Hon. Lemuel P. Padgett.
	Mount Pleasant	1,973	Do.
	Lenoir City	3,392	Hon. Richard W. Austin.
	Rockwood	3,600	Do.
	Lewisburg	1,830	Hon. William C. Houston.
Texas	Atlanta	1,604	Hon. Eugene Black.
	Cooper	1,513	Do.
	Caldwell	1,600	Hon. James P. Buchanan.
	Elgin	2,000	Do.
	Gilmer	1,484	Hon. James Young.
	Hallettsville	1,379	Hon. Joseph J. Mansfield.
	Whitesboro	1,500	Hon. Sam Rayburn.
	Itasca		Hon. Hatton W. Sumners.
Utah	American Fork	2,797	Hon. James H. Mays.
	Garfield		Do.
	Lehi	2,964	Do.
	Spanish Fork	3,464	Do.
Vermont	Ludlow	1,700	Hon. Porter H. Dale.
	Richford	2,907	Hon. Frank L. Greene.
Virginia	Ashland	1,324	Hon. Andrew J. Montague.
	Berryville	1,150	Hon. Thomas W. Harrison.
	Luray	1,218	Do.
	Marion	3,000	Hon. C. Bascom Slemp.
	Tazewell	1,230	Do.
	Onancock	1,001	Hon. Schuyler O. Bland.
	Phoebus	2,200	Do.
	Chincoteague Island	1,419	Do.
Washington	Kent	2,400	Hon. John F. Miller.
West Virginia	Chester	2,184	Hon. M. M. Neely.
	Marlinton	1,045	Hon. Adam B. Littlepage.
	Ronceverte	2,157	Do.
	St. Marys	1,358	Hon. Harry C. Woodyard.
	Spencer	1,224	Do.
	Terra Alta	1,126	Hon. George M. Bowers.
Wisconsin	Arcadia		Hon. James A. Frear.
	Durand	1,503	Do.
	Black River Falls		Hon. John J. Esch.
	New Lisbon	1,074	Do.
	Viroqua	2,059	Do.
	Cedarburg	1,777	Hon. Edward Voigt.
	Horicon	1,891	Do.
	Juneau	1,003	Do.
	Kilbourn	1,170	Do.
	Lake Mills	1,672	Do.
	Lodi	1,004	Do.
	Waterloo	1,220	Do.
	Dodgeville	2,500	Hon. John M. Nelson.
	Kewaunee	2,000	Hon. David G. Classon.
	North Milwaukee	1,860	Hon. William H. Stafford.

EXTENSION OF REMARKS

OF

HON. CHARLES O. LOBECK,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 17, 1918.

Mr. LOBECK. Mr. Speaker, I take personal pleasure in presenting to the Congress an article prepared and written for the Forum, published in November, 1918, by the Hon. John Skelton Williams, Comptroller of the Currency and Director of the Division of Finance, United States Railroad Administration, on the subject of "Usury and the banks." Believing this subject of national importance and of much interest to the Nation and to Congress, I respectfully ask that it may be printed in the CONGRESSIONAL RECORD.

The matter referred to is as follows:

[From the Forum for November, 1918.]

USURY AND THE BANKS—FLEECING THE SMALL BORROWER BEING STOPPED BY THE GOVERNMENT

(By Hon. John Skelton Williams, Comptroller of the Currency and Director of the Division of Finance, United States Railroad Administration.)

Thoughtful and conservative bankers—the men who really lead the banking sentiment of the country—in numbers steadily and rapidly increasing, are now setting their faces and giving their influence against an evil that for years had not only impeded the growth but was threatening the commercial life of important sections of our country, because oppressive and continuing usury inevitably means poverty and failure; and poverty and failure breed discontent, which strikes blindly to destroy and tear down. Despair hates the conditions which have produced it and is ready to go to war against society and governments, regardless of means and reckless of consequences.

The business man, the laborer, the farmer, driven to ruin by what he believes to be unjust exactions, sanctioned or permitted by law, becomes an anarchist at heart, carries within himself a sullen resentment ready to be touched to volcanic outburst by the first approach of opportunity. He has no hope but vengeance. His fury when he may give it vent is directed against the conditions under which he has been oppressed.

The vice, or evil, or peril of usury—it is all three—is no new thing under the sun and was not peculiar to this country. It was spreading among us, however, with rapidity no casual observer would suppose, and in different communities was silently and secretly sapping the life and eating away the foundations of commercial and social life to an unsuspected extent. I do not wish to talk politics or to discuss socialism. I have had opportunity, however, to notice that States and communities in which literature presenting the most violent, dangerous, and incendiary forms of perverted socialism was most eagerly read and accepted were precisely those in which my reports showed the interest charges to small borrowers were most extortionate.

The sin is one of the oldest known to humanity, and is believed to have been indirectly aimed at in the tenth commandment. The Hebrew word for usury signifies "cruel biting." Probably it began to bite along with the saber-tooth tiger. Its derivation may have suggested to a great English judge of five centuries ago his attempt to distinguish between what he called "biting usury," meaning exorbitant rates, and "toothless usury," or reasonable interest charges.

By divine ordinance the Israelites of old were forbidden to demand usury of the poor and needy, and in Deuteronomy we are told, "Thou shalt not lend upon usury to thy brother; usury of money, usury of victuals, usury of anything that is lent upon usury." But by another law they are permitted to lend to strangers—which banks, these days, are not accustomed to do. Loans to the Canaanites and other heathen on usury were, in fact, rather encouraged, the implication being that they might be conquered and overcome more readily this way than by the sword.

In ancient days, when men lived to be 300 to 400 to nearly 1,000 years old, he who began to lend money at the age of 25 or 30 must have accumulated quite a comfortable estate when gathered to his fathers, especially if the interest was compounded. Think of what Methuselah would have done! In this connection the thought occurs that if Noah had out any considerable amount of paper on terms similar to those which are being charged in some of our States, he may not have regarded the flood as an unmitigated disaster.

THE USURER UNPOPULAR IN KING SOLOMON'S DAYS.

The Israelites during the early years of their race maintained consistently their opposition to usury, although the Jews have figured so conspicuously since the Christian era as such prominent exponents. Five hundred years after Moses, King David and King Solomon had things to say against usury, and the usurer seems to have been a most unpopular character in those days. King David describes the holy and just man, he who was entitled to enter into the courts of the Lord, as one "who hath not given his money upon usury." The Jewish Talmud speaks of usury as a practice expressly forbidden.

The subject of usury was specifically dealt with in the ancient codes of most nations. Under the Code of Manu, in India, interest was regarded as of doubtful propriety, and money lending was prohibited altogether to the superior castes, the Brahmins and Kshattriyas, and even for the other two grades a sum lent to a person in distress may not give rise to any interest, because then the interest would be extortionate. The limits fixed by the code were 1¼ per cent per month with security and 1½ per cent per month without.

Among the Mohammedans the charging of usury was expressly prohibited. Money lending in Turkey until recent years was almost exclusively in the hands of Greeks and other foreigners.

The Law of the Twelve Tables among the ancient Romans authorized interest at the equivalent of 10 per cent per annum, subsequently increased toward the close of the Republic to 12 per cent. It was then called "usuria centissima," because in 100 months it doubled the capital, but this law was subsequently abolished and interest laid under a total interdict.

Julius Cæsar enacted severe laws against usurers, and Cato is said to have banished the usurers from Sicily.

Later on Tacitus tells us that the evil of usury greatly increased in Rome and the laws forbidding it were continually eluded. Some historians tell us that from this period, when usury so flourished, Rome dates the beginning of her decay. Trade languished and became disreputable and fell under the control of the worst elements in the community, preparing the way for the calamitous events which preceded Rome's final downfall.

Later, in the time of Justinian, the Government undertook to control interest rates, which were fixed at one-third of 1 per cent a month, or 4 per cent per annum, though higher rates were allowed to be taken by merchants where a greater risk was involved. During most of the periods of Roman history and before its decline and fall, usury was treated as an aggravated species of theft and punished with great severity. Whereas the punishment for theft was only a forfeiture of double the value of the thing stolen, in usury the criminal was punished by condemnation and forfeiture of four times the value of the usury taken. This severe penalty, it is said, was grounded on sound governmental reasons, for it was seen in those days that usury was one of the most frequent causes of sedition and discord among the people.

M'ADOO EMULATED TIBERIUS CÆSAR.

Secretary McAdoo in depositing, as he did on several occasions, many millions of dollars in the banks to alleviate the strain and bring down heavy interest rates which were being demanded in certain parts of the country, found a precedent for so doing in the acts of Tiberius Cæsar, who, the ancient historian tells us, deposited a "marvelous sum of money in the banks of Rome," the amount being estimated at £500,000, or about two and a half million dollars, for the purpose of breaking rates charged by usurers in those days, and this money was offered freely to those debtors who were able to give bond and security to double the value of the money borrowed. Secretary McAdoo's terms were more liberal.

"The canker of usury," says Tacitus, "is an old venomous foe and is the chief head of rebellion and variance in countries, and it was therefore banished in the old times."

In England as early as the reign of Alfred the Great laws were enacted against usury, usurers forfeited to the King their chattels, while their lands escheated to the lords of the fee, and it was further provided that usurers should not be buried in the sanctuary. In the reign of Edward the Confessor, 150 years later, the laws provided that the usurer should forfeit all his substance, be outlawed, and his heir disinherited. Other punishments were added by William the Conqueror, such as whipping, exposure on the pillory, and perpetual banishment.

In the Magna Charta, in 1215, attempts were made to regulate or restrain usury, the provision inserted showing clearly how general the evil was and how oppressive.

These laws were modified and changed from time to time in the twelfth century. According to Glanville, the usurer was not liable to be convicted during his lifetime, but forfeited his goods and chattels after death.

In 1487 two acts were passed in England to restrain usury and to meet the various devices which had become common. This law provided that offenders should be placed in the pillory, put to open shame, be imprisoned half a year, and pay £20 sterling.

In the reign of Queen Elizabeth the legal rate was fixed at 10 per cent. This rate was reduced to 8 per cent under the reign of James I. All contracts for more than 8 per cent were void, but the act contained a clause that "no words in this law shall be construed or expounded to allow the practice of usury in point of religion or conscience," inserted in the law to satisfy the bishops, who would not pass the bill without it.

USURY CONTRIBUTED TO THE DECLINE OF ROME.

In the reign of Charles II the legal interest was further reduced to 6 per cent, which had then become customary, and it is interesting to compare the conditions set forth in the preamble of this act, which shows the beneficent influences of favorable money rates, with the corruption and declining conditions in Rome, when usury flourished most in the Eternal City. The preamble to this act says:

"Forasmuch as the abatement of interest from 10 per cent in former times has been found by notable experience beneficial to the advancement of trade and the improvement of lands by good husbandry, with many other considerable advantages to this nation, especially the reducing of it to a nearer proportion with foreign States with whom we transact, and whereas in the fresh memory the like fall from 8 to 6 per cent by late constant practice hath then the like success to the general contentment of this nation as is visible by several improvements, and whereas it is the endeavor of some at present to reduce it back again in practice to the allowance of the statute still in force, to 8 per cent, to the great discouragement of ingenuity and industry in the husbandry, trade, and commerce of this nation."

The rate of interest in England was reduced to 5 per cent in the reign of Queen Anne, the preamble of the law stating that—

"It has become absolutely necessary to reduce the high rate of interest of 6 per cent to a nearer proportion with interest allowed in foreign States."

The various acts passed in the reigns of Charles II, William III, and George II, George III, and George IV, provided that all securities given on a usurious consideration or upon a gaming transaction were absolutely void.

In this country the Colonies first and the States later undertook to fix and regulate the rates of interest and to define and prohibit usury. Massachusetts fixed the legal rate at 8 per cent in 1641 and reduced it to 6 per cent three years later. Some of the older States, however, refused to adopt usury laws until within recent years. In many of our States usury statutes have been and are ignored, and where the transgressions against the usury law have been most marked and where usury has flourished most, unmolested, we find enterprise hampered and many unhealthy conditions engendered; which reminds one of a saying credited to Diogenes, that "where neither laws have force nor water hath course, there no wise man seeks to dwell."

To the substantial business man, accustomed to reasonable accommodations from banks, there is a kind of ghastly humor in some of the revelations resulting from an investigation into the subject of usury conducted some months ago by the comptroller's office.

USURY AIMS AT AMERICAN BANKS.

It was ascertained at that time that 1,247 national banks out of a total of 7,600 were openly charging rates of interest forbidden by the laws of their respective States and by the national bank act, and that despite the easy money conditions, 2,743 banks were charging on some of their loans interest of 10 per cent or more per annum.

One bank admitted under oath that it was charging an average of 25 per cent per annum on all of its loans; another an average of 30 per cent; and a third an average of 40 per cent per annum on all loans.

The alarming part of all this is that wherever such a case of oppression occurred the agitators, the chronic trouble makers, and the demagogues of the neighborhood or the county made it the text for incitement of rage against the capital and the commercial methods of the entire country.

I will not tire you with figures, but will mention just a few actual loans made by national banks and reported under oath to the comptroller's office, which may serve as illustration.

Here is a loan of $1,000 for a month and a half at 77 per cent, a loan of $2,067 for a month at 65 per cent, $553 for two months at 85 per cent, $491 for 80 days at 50 per cent, $200 for three months at 50 per cent.

A visitor to my office from a certain State not long ago, who held a high public office in that State, told me of a loan for $90 made to a farmer to help him to raise his crops, the loan being for less than a year. He said that the bank had charged this farmer, in addition to a large rate of interest, an extra sum of $50 for the trouble of going out to look at the land and for a few preliminaries to the loan.

The practice of making a deduction for expense, in addition to the rate of interest, seems also to have been an ancient one, and to have been resorted to hundreds of years ago. It has prevailed to an inexcusable extent up to a very recent date in certain of our States.

I am sincerely gratified to be able to report, after all this looking at the dark side of the picture, that in the past year or so there has been a vast improvement in the matter of interest rates throughout the country. The evil has been greatly mitigated, but it is not yet entirely eliminated. Hundreds of banks have made perpendicular drops from the excessive rates which they formerly charged. Many that had been charging on some of their loans as much as 50 per cent reduced to 12 per cent, and in thousands of cases they have come within the legal rates of their respective States.

NOW THE BANKS ARE REDUCING RATES.

In other instances, where only 12 per cent to 15 per cent rates had prevailed, borrowers are now accommodated at 6 per cent and 8 per cent. Some banks have adopted a conservative course and apparently have been afraid to reduce their rates too suddenly, but they are moving in the right direction. One bank testifies under oath that it has succeeded in reducing its maximum rate from 360 per cent to 109 per cent. Another in the same State reports that it has already brought its maximum rate down from 300 to 30 per cent; others report that they have brought their average rates of 18 per cent and 22 per cent down to the legal rate of 10 per cent.

I am very glad to be able to say that these sensational and inexcusable rates are steadily disappearing from the sections where they have formerly prevailed, and people of every part of this country are at this moment securing money for all purposes, whether it be for commercial business, farming, or industrial purposes, on more favorable terms than ever before in the history of our country.

In divers instances national banks which have been called on to reduce their rates of interest to those permitted by law have not only complied but have advised my office that they were conducting their business on a plane which is proving not only more satisfactory to their customers but, all things considered, more satisfactory to the banks themselves, as their business is showing a healthy expansion in response to more liberal treatment.

For example, the cashier of a national bank in the interior of Texas, which has in the past been charging excessive interest rates, in a letter to the Comptroller of the Currency said:

"While it has been rather hard for us to get down to the legal rate, I realize that you are absolutely correct, and I am sure that the cheaper rate of interest will bring, and is already bringing, this bank a large increase of business. Your stand in this matter is entirely commendable, and we will do our best to uphold you in it."

Many farmers who had never known what it was to borrow money below 12 per cent, even on cotton, through the operations of the Federal Reserve System are now enabled to borrow from their local banks at 6 per cent, and the small local banks are able to borrow in their turn from the Federal reserve banks at 3 to 4½ per cent, and the business men throughout the country, I am sure, are prepared to testify that in the past 12 months, despite the very active condition of business, which usually brings tight money, that in all our important cities merchants and manufacturers have been able to place their commercial paper at lower rates than you have ever known before.

To overcome the whole trouble and rid the farmer and the small merchants in the rural districts of the exactions which have often crippled and sometimes destroyed them, a bill has been introduced in Congress, requiring all national banks to keep a record showing the rate of interest charged on each and every loan, and authorizing and directing the Department of Justice to bring suit against usurers, upon information secured by the department from the Comptroller of the Currency, or from other sources. If this becomes a law, it will be possible to eradicate entirely usury from national banks. It would be difficult to overestimate the blessings which will come to many thousands of borrowers in all parts of the country if the maximum rate of interest throughout the States should be reduced from 100 per cent and more, which has been charged in the recent past in many banks, to a maximum of 6 or 8 or even 10 per cent, according to the legal rate in the respective States.

The subject of usury has been discussed, as I have shown you, through thousands of years and by countless learned men. After the Hebrew prophets and lawgivers, Cæsar and Cato and later Justinian in Rome and the Greek philosophers debated on it; prelates, kings, and great judges of great courts have studied and expounded it; parliaments, congresses, legislatures have turned it inside up and outside down; discourses on it in such bodies, in the pulpit, from the bench, have been innumerable in numbers, infinite in extent.

Yet in some parts of this country we found we were in worse condition in this respect than were the people of 50 centuries ago, and men and women in the United States, in the twentieth century were bitten more deeply than were the ancient Hebrews; were destroyed and enslaved more grievously than were the Canaanites, declared enemies of God's chosen people. There is no organized ecclesiastical protest against it, and the executive officers of the law stood inert and apparently powerless. In some of the newest and freshest parts of our land American citizens were practically in the position of the poor of Rome under the oppressions of usurers of distinguished families—

"No fire when Tiber freezes,
No air in summer's heat,
But stores of rods for freeborn backs,
And stocks for freedom feet."

Let us earnestly hope that the conscience of the country and the protest of the self-respecting and forward-looking bankers may be truly aroused to renew the old, old fight against the old, old instinct of tyranny and oppression, so cruelly contrary to all the teachings of Christianity, the lessons and purposes of civilization, and all the trend of modern thought—

"The good old rule, the simple plan,
That he shall take who has the power
And he shall keep who can."

No country can live, much less prosper, no people can keep their strength and maintain that unity of thought and purpose that makes nations conquerors, where wealth accumulates and men decay.

Pay of Wounded Soldiers.

EXTENSION OF REMARKS

OF

HON. SWAGAR SHERLEY,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 12, 1918.

Mr. SHERLEY. Mr. Speaker, under the leave granted I print in the RECORD the following letter from Brig. Gen. Lord on the subject of the pay of wounded soldiers:

WAR DEPARTMENT,
Washington, December 12, 1918.

Hon. SWAGAR SHERLEY,
House of Representatives.

MY DEAR MR. SHERLEY: With reference to the remarks which were made on the floor of the House yesterday, and at your personal suggestion, I am submitting the remarks which follow in connection with the complaints concerning the delay in making payments to the enlisted patients who have been returned from their overseas stations for treatment in hospitals in the United States.

With but few exceptions, the enlisted men who have been returned from France have arrived in this country without service records and without any other papers which contained a statement of their accounts, thereby making it impossible to determine what pay, if any, was due them. The delay in payments to enlisted men resulting from the separation of the soldier from his service record was made the subject of instructions issued by the War Department February 18, 1918, in Bulletin 8, which provided that emergency service records should be executed by the organization commanders of enlisted men from such data as was available, so as to enable the soldiers to be paid. Under date of April 30, 1918, Special Regulations 58a, War Department, was issued, which provides that all soldiers separated from their command be provided with a pay card which would take the place of a service record. This pay card is kept with the soldier in his personal possession and enables him to secure his pay independent of the fact that his service record may not be available at the place where he is serving or located. These two provisions entirely eliminated the trouble which was being experienced in the United States in making payments to soldiers who were separated from their commands, but did not seem to effect the conditions overseas, although both the bulletin and special regulations had application there as well as in this country.

I mention this so as to show that adequate instructions and forms were developed by the War Department to permit of the soldiers who were being returned from overseas stations to bring with them proper records to permit of their prompt payment in full upon arrival in this country.

At the Walter Reed General Hospital, District of Columbia, on the recommendation of this office, enlisted men arriving from their overseas stations without service records or pay cards were paid some stated amount per month, and this same plan was carried out in other hospitals in this country. With respect to the men at the Walter Reed General Hospital it was found on investigation that some of them had not been paid for many months, and in September of this year these men were taken up on a pay roll which was executed in this office and certified to by the writer of this letter, and payment made on that certification for the entire amount due the soldiers, based on their own statements as to the date to which they had been last paid and such other information as could be obtained in Washington with respect to their allotments and war-risk insurance. Since this payment there have been additional arrivals at the hospital, nearly all of whom were without the papers necessary to determine the status of their accounts with respect to pay, and the same procedure has been followed in their cases and payments made in full. It is admitted that there is no authority of law for the action taken in these cases; but the men were in arrears with respect to their pay; they were returned from France without any papers of any kind indicating what amounts were due them; and the only way in which they could be paid was to accept their own statements as to the dates to which they were last paid and, subject to such information as could be obtained with respect to their allotment and insurance status, paid on the strength of their own statements.

In the other hospitals located in the United States to which the enlisted patients are being returned from overseas, payments are being made of a stated amount each month so that the men will not be totally without funds, and this office has devoted its energies toward attempting to obtain information as to the exact status of their accounts so as to enable these patients to be paid their pay in full.

On September 20, 1918, the disbursing officer at each general hospital was informed as follows with respect to the payment of overseas casuals, viz:

"* * * War Department expects all men to be paid in full where sufficient data is available, such data, if necessary, to include the statement of soldier if in the opinion of the personnel adjutant his statements are correct.

"If there be sufficient information available to pay in full for the current month or a stated period, but not sufficient to pay from date of last payment, soldier should receive pay for such period without deductions for partial payments made to cover the period for which data is not available. In cases such as the above the partial payment should not be entered on pay roll until soldier is paid for the period for which he received the partial payments. Remark to be as follows: 'Due soldier pay for ———, $—— partial payment to be deducted.'

"If data be not available and there is cause for doubt as to the correctness of soldier's statement, payment should not be made in full, but his name transferred to a partial-payment roll, or War Department Form 369, and soldier paid as outlined in paragraphs 3 and 4, Special Regulations, No. 58a.

"Under no circumstances should enlisted men be allowed to go without pay on account of lack of records, as partial payments are authorized until such time as service records can be obtained as provided in instructions 9, Service Record, Form No. 29, A. G. O."

Realizing the seriousness of the situation, and with a view to keeping in close contact with the pay status of the enlisted patients arriving from overseas, this office, on December 7, 1918, made recommendation for semimonthly reports as to the condition of the accounts of these men. A copy of this recommendation is attached herewith.

There has been no lack of effort on the part of the War Department or this office to effect payment, at least in part, to the patients returning from overseas, but it is apparent from what is said herein that full payment can be made to these men only by accepting their own statements as to the date to which they were last paid. This has been done with respect to the men at the Walter Reed General Hospital, upon the personal certification of the undersigned, who assumes full responsibility for his action.

At the other hospitals partial payments are being made to the men, so that they are not without funds, and recommendation is this date being made that the action taken with respect to the men at the Walter Reed General Hospital be taken in the cases of men at the other hospitals. There is no sanction of law for this action, but it is felt that the situation demands remedy, and the only remedy is to accept the personal statement of the men themselves, as with but few exceptions no papers have been received from France which show the statement of their accounts with respect to the date to which they were last paid there.

It is clear that had the men who are being returned from France been furnished with a pay card or other papers showing the condition of their accounts, there would have been no delay whatever in effecting a full statement with them when they arrived at the several hospitals in this country, but it is assumed that the conditions existing in France, where the entire energies were being devoted to the winning of the war, made it impossible to accomplish service records or pay cards for these men, so as to have the official papers available when they arrived in this country.

The policy of this office has been to detail an officer to make a personal investigation at any hospital from which a report was received that the overseas patients were not being paid at least partial pay, and

in accordance with this policy instructions have been given to have an officer proceed to West Baden, Ind., for the purpose of investigating the pay conditions of the overseas patients at that hospital, this being the specific place mentioned in the remarks made on the floor of the House yesterday.

Respectfully,

H. M. LORD,
Brigadier General, Assistant to Director of Purchase, Storage, and Traffic, Director of Finance.

HML/R
1 inclosure, copy letter, The Adjutant General, Dec. 7, 1918.

DECEMBER 7, 1918.

Director of Finance.
The Adjutant General of the Army.
Data as to payment of patients in various hospitals.

1. Information has reached this office that hundreds of sick and wounded soldiers are being returned from overseas without service records, making it impossible to effect payment in full to soldiers. This condition emphasizes the necessity for a complete record of the pay status of these patients, such record to include partial payments made on pay cards, or pay record books, through the medium of temporary service records; also report of action taken with respect to obtaining their original service records. It is therefore recommended that a circular letter be sent to commanding officers of all general hospitals and other hospitals to which patients from overseas are being admitted, same to read substantially as follows:

"On the 1st and 15th of each month, beginning with December 1, 1918, commanding officers of United States Army general hospitals and all other hospitals to which patients from overseas are being admitted will render the following report to the Director of Finance, War Department, Washington, D. C.:

Number of patients on hand, date of last report ——— (Date.) No. ———

Received since last report:
- With original service records ——— No. ———
- With temporary service records ——— No. ———
- With pay cards ——— No. ———
- With pay record books ——— No. ———
- Without pay records of any kind ——— No. ——— No. ———

Discharged since date of last report:
- On original service records ——— No. ——— No. ———
- On temporary service records ——— No. ——— No. ———

Other losses:
- Transferred ——— No. ———
- Deaths ——— No. ——— No. ———
- On hand, date of this report ——— No. ———

As follows:
- Present in hospital ——— No. ———
- On furlough ——— No. ———
- Absent without leave ——— No. ——— No. ———

Number of patients paid since last report:
- On original service records ——— No. ———
- On temporary service records ——— No. ———
- Number of payments made to each patient per month ——— No. ———
- Number of requests made for original service records ——— No. ———

Patients in arrears of full pay:
- Nine months ——— No. ———
- Eight months ——— No. ———
- Seven months ——— No. ———
- Six months ——— No. ———
- Five months ——— No. ———
- Four months ——— No. ———
- Three months ——— No. ———
- Two months ——— No. ———
- One month ——— No. ———

"This report will be rendered promptly on dates named by personnel adjutant or similar officer of each hospital concerned."

By authority of the Director of Purchase, Storage and Traffic.

H. M. LORD,
Brigadier General, Assistant to Director of Purchase, Storage and Traffic, Director of Finance.

A Demand for Relief from the Serious Situation Created by the Failure or Neglect of Government Agencies to Make Payment of Allotments and Allowances to Soldiers' Dependents.

EXTENSION OF REMARKS

OF

HON. WILLIAM S. VARE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 12, 1918.

Mr. VARE. Mr. Speaker, the growing seriousness of the distressing situation created by the obvious failure of the War Risk Insurance Bureau and other Government agencies to provide increasing thousands of dependents of American soldiers with money to which they are entitled can not be questioned by anyone familiar with that situation.

Reports of the pitiable suffering, of the actual want and privation of increasing numbers of the mothers and wives and children of those American boys who fought so heroically overseas are accumulating daily—aye, hourly—in all sections of the country.

And why? Because of the long delay, and, in many instances, the utter failure or neglect of the Government agencies intrusted with so vitally important a task to remit to the families and dependents of our soldiers the allotments and allowances to which they are entitled by an act of Congress.

During the horrible world war that has so fortunately terminated I consistently supported the administration in its efforts to prosecute America's share in it successfully. I refrained from criticism of the administration even when I was doubtful as to the wisdom of the course it was pursuing, because I felt it was the duty of every American to give the fullest support to the United States Government when it was face to face with so great a crisis.

Even now I am not criticizing the administration or the Government because I am of a different political faith from that which controls at present in Washington. I am not speaking as a Republican. I am speaking as an American who possesses indisputable evidence that American mothers and wives and children are facing the direst poverty—yes; and with Christmas not far away.

A merry Christmas, forsooth, it will be for these unfortunate mothers and wives and children of our heroic soldiers who find themselves penniless or in want, confronted by poverty or dependent upon charity. I am not exaggerating. Permit me to quote from the public press, in which are appearing daily the most distressing and circumstantial descriptions of the horrors—yes, actual horrors—which either failure or neglect on the part of agencies of the United States Government have made possible.

I have here the Philadelphia Public Ledger of December 11, 1918—of Wednesday of this week, mark you—in which appears the following startling revelation of the acute suffering, the wretched want, due to the inability of a father and mother to secure one cent of the allotment their soldier son made to them. Permit me to quote from this newspaper:

DIRE WANT FACING MANY DEPENDENTS—CHEERLESS CHRISTMAS LOOMS WITH DADDY OVER THERE.

With no coal in their home, living on bread and potatoes, and compelled to remain in bed to keep warm, Mr. and Mrs. Hyman Pearlstein, of 617 Segel Street, said yesterday they had not received a cent of the allotment from their soldier son, David, since last September. Mr. Pearlstein is 74 years old and his wife is 69. Both are unable to speak English, but, through an interpreter, related their distress and privation since the boy, who was their sole support, went away to war.

While the plight of the Pearlsteins was found to be most poignant among the kin of the men in the service whose allotments have failed to arrive, other mothers and wives said yesterday that unless the check reached here within the next 15 days Christmas would be a dismal and cheerless holiday in many a soldier home here.

Let me say to the House that this is not mere "newspaper talk," as some may be inclined to assert. In my own district in Philadelphia, in which the Pearlsteins live, many cases have been brought to my personal attention of the actual privation of mothers and fathers and wives and children of soldier boys who, whether in the Army or the Navy, left their homes and their dear ones behind them that they might answer the call of their country for fighting men.

I have here correspondence I have had with officials of both the Navy Department and the War Risk Insurance Bureau regarding but one case that has occupied my personal attention. As a Member of Congress I was finally able to secure relief for the mother of a seaman in the Navy, but what of the increasing thousands of similar cases involving those who do not personally know a Congressman to whom they can appeal for assistance in unraveling the great mass of governmental red tape in which the allotments and allowances of our soldiers are manifestly and, apparently hopelessly, entangled?

The particular case to which I refer is that of an apprentice seaman in the Navy who, although he made an allotment to his mother, who lives in my district in Philadelphia, on February 12, 1918, she did not receive it until about May 7, 1918, or nearly four months later.

Since that time she has not received another cent from the Government, although her son, upon whom she was dependent for support, continued in active service, until, under date of December 10, 1918, or seven months after she received her first and only allotment, I received a communication from the naval allotment officer that a check covering the arrearages due her, arrearages amounting to $175, would be mailed to her by the War Risk Insurance Bureau.

I could cite other cases similar to this one, but I will merely call the attention of the House to what has been appearing in the public press of my city—Philadelphia—regarding the most distressing conditions, which I am informed and believe prevail in other American cities to-day, and which, in my judgment, threaten to become a national scandal.

In my opinion Congress should take immediate steps to correct such a deplorable situation.

What will be the answer our soldier boys will receive when—as many of them are doing now—they return from overseas and ask why their mothers and fathers and wives and children were permitted to live in want or on charity while they were facing death, while they were being maimed or "gassed" and their comrades were being killed in battle? Gentlemen of the House, they will have a right to demand an answer to that question, and I would not like to be in the shoes of any man whom they can hold responsible for the suffering and privation of their loved ones, of their helpless wives and mothers and children.

Shall those wives and mothers and children be permitted to hunger, shall they be permitted to suffer from cold because the War Risk Insurance Bureau or some other incompetent or inadequate Government agency is responsible for their not receiving money with which to buy bread and coal and clothing? It is a shameful situation that confronts us, and it is high time that Congress gives the most earnest and thoughtful attention to it.

Here is what the Philadelphia Inquirer said editorially on this subject only recently:

FAIR PLAY FOR SOLDIERS' DEPENDENTS.

Some one in official life in Washington should stir up the War-Risk Insurance Bureau. Not long ago it was admitted that this organization was behind in its work to the extent of 80,000 checks for allotments to the dependents of men in the service. The situation has been partially relieved since that time, but only partially. In this city there are many cases, hundreds of them, where wives and mothers have not received any pay for three, five, and seven months. Scores of instances have been discovered where the dependents have been in actual want. Even in such cases the sufferers are not asking for charity, but only for that to which they are entitled by law.

This is all wrong. It is a condition which requires immediate attention. The very least we can do for the men who have been willing to make the great sacrifice is to keep the promise which has been made to look after their dependents. The Federal Government has the money, and surely in an emergency of this character it should be possible to cut the red tape and break down the barriers of delay.

"PARENTS SHIVER AS UNITED STATES HOLDS UP SOLDIER'S PAY—COUPLE COMPELLED TO STAY IN BED TO KEEP WARM WHILE THEIR SOLE SUPPORT IS MARCHING WITH PERSHING OVERSEAS—YULETIDE DREAMS OF MANY IN THIS CITY MOCKERY; KIDDIES' STOCKINGS TO BE EMPTY—DELAY IN ALLOWANCES ATTRIBUTED TO CONFLICT OF AUTHORITY; BUREAU IS CHARACTERIZED AS THE MOST INEFFICIENT AND OUTRAGEOUSLY EXTRAVAGANT BODY IN CAPITAL.

"Parents of a Philadelphia soldier are compelled to stay in bed to keep warm because they have not received any money through the Government from their soldier son.

"Christmas will be cheerless for mothers, wives, and children of soldiers, for many families are in dire want now, due to delay in allotments.

"War-Risk Insurance Bureau, six months behind in mailing allowances to dependents, permit clerks of an entire division to pose a long time for photograph.

"Delay in payments ascribed to conflict of authority between the Treasury Department and the bureau, and because officials, it is said, fail to grasp the enormity of their task.

"The bureau 'is the most inefficient, outrageously extravagant institution ever organized under the Government,' asserts Representative MADDEN.

"CLERKS IN LONG POSE WHILE FAMILIES WAIT—CONFLICT OF AUTHORITY ADDS TO DELAY IN PAY.

"WASHINGTON, *December 10.*

"Despite the fact that the Bureau of War-Risk Insurance is approximately six months behind in the mailing of allowances to the wives, children, and aged parents of American soldiers, the clerks of one entire division of the bureau passed considerable time this afternoon on the steps of the District Building posing for a photograph.

"Efforts to ascertain the fundamental causes for the present conditions in the War-Risk Bureau developed the view that responsibility is due primarily to:

"Lack of the proper organization at the outset.

"Failure of the officials in charge to grasp the enormity of their task and to prepare to meet it.

"Conflict of authority between the Treasury Department and the War-Risk Bureau in the matter of making payments.

"Members of Congress and other officials who have investigated the bureau generally are agreed the trouble is due primarily to organization; to an incapacity to employ the 14,000 clerks now at work in the bureau in the most efficient manner."

It is contended none of the officials selected to handle this big task had a proper grasp of its scope in the beginning and failed to lay the framework for a sufficiently elastic organization to keep pace with the growth of the military forces.

Much of the responsibility for this is said to have been due to the fact that the bureau was made a part of the Treasury Department instead of being established as a distinct department of the Government. Secretary of the Treasury McAdoo, it is held, could have put the bureau on an efficient basis had not he been restricted in his attention to it by numerous other duties. The point is made that proper executive authority could have so organized the bureau as to have overcome these difficulties months ago.

When the War-Risk Bureau was under fire in Congress recently Representative SHERLEY said:

"I have personally undertaken, not once, but a great many times, to bring to the attention of the War-Risk Insurance Bureau the need of simplifying and arranging this matter so that there would not be delay. After all, the remedy is in the efficiency of the men at the head of the bureau."

Mr. SHERLEY explained that much of the trouble has been due to a change in the law, which has brought about a conflict in authority between the War-Risk Bureau and the War Department.

Under existing conditions a soldier is required to allot a certain amount of his pay to his dependents. The Government adds an equal amount, the aggregate of which is forwarded to the soldier's family through the War-Risk Bureau.

In addition to the compulsory allotment a soldier is permitted to make a voluntary allotment, and this money is taken from his salary by the Quartermaster Corps of the War Department and forwarded by that department to the beneficiary named.

The result has been that many soldiers making allotments through the War Department went to France believing they had done everything to provide for their dependents, whereas the signing of an entirely distinct set of papers was required.

Mr. SHERLEY has advocated congressional action to remedy this situation, but many Members of Congress see no need for additional legislation, declaring the President has power to coordinate the work under one organization.

Representative MADDEN, Republican, of Illinois, declares that investigation "has convinced him that the War-Risk Bureau is not being operated efficiently."

"The bureau had $3,591,000 appropriated for its maintenance just six months ago," he said, "and that to-day it comes in here for an additional appropriation as a deficiency of $7,580,000. They asked for $10,000,000, and the appropriation is for $7,580,000. That makes a total appropriation within the last six months of $11,171,000 to administer an institution that ought to be capable of functioning with 3,500 people. They have 14,000 people employed there now, and if this is an example of efficient administration of public affairs, I have not much respect for such knowledge of efficiency.

"It is the most inefficient, outrageously extravagant institution that was ever organized under the Government. The average number of hours they put in a week is one good day's work. There are thousands of men and women who are supposed to be employed making no kind of excuse for not performing the duty at all. Some clerks, supposed to be working at night, report for duty at 6 o'clock, immediately after making the report for duty go out to supper, and when the theater is open they go to the theater and never come back."

The Philadelphia Public Ledger, of the same date, says:

APPEAL SENT TO WASHINGTON.

Six days ago the disappointing prospect for Christmas in many soldier homes here actuated Mrs. M. L. Woodruff, in charge of the Personal Service Bureau, to write a letter to C. F. Nesbit, commissioner of the bureau at Washington. She wrote:

"I am inclosing herewith a list containing the names of the allottees who have not received their Government checks, and I take the liberty of asking if you will be so good as to direct that checks be sent to them.

"If the checks can be sent to them forthwith, it will insure a cheerful Christmas in many homes. Personally, I can ask nothing better for my own Christmas enjoyment than to feel that the people who have come to me in their troubles have received their money and will be sure of some of the creature comforts over the holidays."

Mrs. Woodruff said yesterday many reasons could be ascribed for the failure of the allotment checks to arrive in many cases. She said one of the most potent of these was the constant moving of families from one home to another without notifying the War Risk Bureau.

"Real estate," she added, "has been sold and bartered so frequently here and to such an extent that this enters into troubles of the dependents. We have cases where the home of a soldier's family has been sold three times, and in each case the family had to move in order to make room for the owner or somebody else.

"Naturally they forget to notify the bureau they have moved, and this holds up the arrival of the checks. In some instances the postmaster is notified to have the mail carriers see that the check arrives at the proper destination after the dependent has moved from the old address.

"Again, many of the boys overseas fail to fill out the blanks which certify the persons to whom the allotments are to be paid. This means the allotment blank is void and the folks back home receive no checks. It requires time, too, to look into all these things and take care of them."

Stories typical of many that are heard every day at City Hall were told yesterday by the dependents. One of these is the sick mother of Max Garr, who was a clothing cutter and lived at 2660 Napa Street before he went overseas with the Fifty-fourth Pioneer Infantry. Not only has the mother received but one allotment from her son, but she has not even received a word regarding his whereabouts since he arrived in France.

On December 10 the Philadelphia Public Ledger published the following:

WAR-RISK BUREAU DELAYS BRING DISTRESS TO DEPENDENT HOMES—PERSONAL SERVICE BUREAU AND CITY ACTIVITIES DEVOTE EFFORTS TO RELIEVING CASES OF PRIVATION.

Ten days ago the War-Risk Insurance Bureau was 80,000 checks behind on allotments to the dependents of men in the service of the country. This admission was made by officials at Washington in a letter to Mrs. M. L. Woodruff, in charge of the personal-service bureau here.

"At that time," she said, "the officials blamed the arrears on the epidemic of influenza among the clerks, and said as soon as this had abated the work would go right along."

Inquiries here disclosed that hundreds of dependents have failed to receive their allotments in time, and in many instances downright privation has followed this failure to receive Federal money. Fifty-five cases have been reported since December 6, it was said at Mrs. Woodruff's office, but others said that within the last few days checks have again started to come.

Typical cases in which actual want faces some of the dependents were recited yesterday. One of these is the mother of a private at Camp Johnston, Jacksonville, Fla., the quartermaster's training school. No check has been received by his mother, a complaint to Washington says, since last June. Another is a private in the Eleventh Regiment of Field Artillery. His wife, who lives on McKean Street near Fourth, has received no money since August and is in such distress that she has been cared for by Philadelphia Councils' relief committee.

Another soldier at the cooks' and bakers' school was the sole support of his parents before he went into service. They live on Siegel Street near Sixth, and the mother has written a plaintive letter, in which she says she has received no money since September and their situation is that of actual want.

Another woman, the wife of a soldier in Company H, of the Fifty-second Pioneer Infantry, now overseas, lives on Walnut Street near Thirty-seventh. She has received no allotment since early in the summer, and the personal-service bureau is paying her rent until the arrival of the check.

Mrs. Woodruff said similar cases could be cited, showing that unless there is a decided brace in caring for these dependents before the winter comes much suffering and privation will be found among the families of soldiers.

And on last Monday morning the Philadelphia Public Ledger printed the following, which speaks for itself:

SOLDIERS' MONEY FOR DEPENDENTS FAR IN ARREARS—HUNGER AND COLD MENACING MANY MOTHERS, WIVES, AND CHILDREN—INQUIRY BY CONGRESS SOON APPEARS CERTAIN—McADOO REVEALS SHORTCOMINGS OF WAR-RISK BUREAU, BUT CLERKS ARE BLAMED.

WASHINGTON, *December 8.*

The Government's bureau for the payment of monthly dependency allotments to the families of soldiers, sailors, and marines is far behind in its work.

Many women and children dependent in a large measure on the Government checks are bordering on actual want as the cold weather looms. Money which might have been available for the expenditures incident to Christmas probably will not reach them until spring.

Despite all official denials it was learned to-day there are thousands of cases where dependents of soldiers have not received their allotment checks for from two to six months. An early congressional inquiry into the alleged inefficiency of the Bureau of War-Risk Insurance appears certain.

The Public Ledger has received definite information from the relatives of soldiers that this situation prevails. Some officials of the bureau deny the condition is quite so bad, but the clerks who mail the checks say privately most of the bureau's work is approximately six months in arrears.

There has been criticism due to the failure of soldiers to receive their pay, but this is a War Department task. There was much ground for such complaints early in the war, but a large majority of the soldiers are receiving their monthly pay on time, and that exceptions are comparatively few is due to the inability to prevent errors in so large a task.

PROMISES FAIL OF FULFILLMENT.

Criticism of the War-Risk Bureau is not a novelty in Washington and numerous attempts have been made to explain its shortcomings, always with assurances that better results would be forthcoming.

The chief argument was that the bureau was required to cover entirely new ground in its work and that it was hampered in a very material way by the unfamiliarity of most persons with their share of the duties necessary to obtain the allotments, and particularly by the failure of soldiers themselves to take the proper steps to insure allotments for their dependents.

It is not doubted there is considerable weight to this argument of the bureau chiefs, but, it is maintained, no such excuse can apply in the large number of cases where the soldiers have been alert in taking the proper steps to have a portion of their salary allotted to their mothers or wives.

The most frequent answer to criticisms of the War-Risk Bureau is that of "inefficient clerical forces" and the inability to obtain an adequate force to handle the work. This argument is advanced in the face of the fact that for many months idle clerks in many branches of the Government have been "stumbling over one another," and in many instances stenographers have not averaged 50 letters a week.

The point is that the bureau is making the same appeal for leniency that it made in the fall of 1917, and that slight progress seems to have been made to bring some order out of the chaos which then existed.

It is contended by many persons that the clerks in the bureau pass entirely too much time looking for "funny" grammatical errors and misstatements in the letters of poorly educated dependents of soldiers and for "spicy scandal" in the correspondence, especially of soldiers seeking to avoid payment to wives from whom they have separated either by divorce proceedings or abandonment.

M'ADOO EXPLAINS BUREAU'S DELAY.

Secretary of the Treasury McAdoo does not attempt to conceal the shortcomings of the bureau, but he has sought to explain them and to hold out a promise for better results in the future.

"The volume of work handled by the War-Risk Insurance Bureau in the first year of the military and naval divisions' existence has been very great," Secretary McAdoo said. "It has involved literally hundreds of millions of transactions. The achievements of the bureau are less likely, however, to attract public attention than are its deficiencies or errors.

"Beneficiaries of the bureau take what comes to them easily as a matter of course, but those whose needs have not received immediate attention are not inclined to consider the gigantic nature of the organization problem with which the officials of the bureau have been struggling as sufficient excuse for the delay in the settlement of their individual cases.

"Once the work of organization is complete, the problem of running the bureau, colossal as is its volume of work, should present no unusual difficulties. The most pressing problems have been in connection with the work of awarding allotments and allowances to the dependents of enlisted men. When men are no longer drafted, new applications for allotments and allowances will cease to come in. Changes in applications already entered may, however, be expected for some time. But when the war is over and the fighting forces have returned to their homes, the work of the section of allotments and allowances will gradually cease.

"Officials realize keenly that failure to act promptly and efficiently in the allotments and allowances section meant suffering for the dependents of men who had been called into the military or naval service.

PITIFUL CASES ARE NUMEROUS.

"Many pitiful cases of need came to the attention of the bureau. Every effort was bent toward the supreme end of getting checks to the dependents of soldiers and sailors as quickly as possible. Virtually the whole section, both officials and clerks, worked voluntarily at their tasks for 24 hours without stopping on several occasions to get the monthly checks out.

"A principal cause of delay in handling allotment cases has been the lack of trained and efficient help. The bureau has suffered very severely from the difficulties of establishing a new organization of the magnitude required under the conditions existing in Washington. At present no less than 4,000 typists are needed for routine work. While the total number of those now enrolled is only a little less than 13,000, the total number of those in training during the year was possibly nearer 20,000.

"Owing to unsatisfactory living conditions in Washington many young women who came here out of patriotic motives to do war work returned to their homes after a very brief experience. During September, indeed, one-twelfth of the clerical force resigned. About 90 per cent of the bureau's employees are women.

"The work of the bureau has been impeded by other causes than the insufficient numbers of the personnel. These include errors in the applications of enlisted men, such as errors in the spelling of names or addresses of allottees and the omission of information which is necessary for making an award; the failure of enlisted men to make allotments to persons dependent upon them for support, this failure being due sometimes to a desire to escape responsibility toward a dependent, sometimes to misunderstanding of the questions asked in the application blank; changes of addresses of allottees without proper notification to the bureau; failure of allottees to give sufficient information to identify the enlisted man referred to when the allottee writes to the bureau; Anglicized spelling of a proper name by enlisted men while the allottee adheres to foreign spelling; and, finally, the impossibility of identifying an enlisted man by name alone because of the great number of identical names in a list of 4,000,000.

"No one single administrative act since the war began has contributed to the simplification of the bureau's work so much as the order to give every soldier a serial number, although it entailed a stupendous task."

EXTENSION OF REMARKS

OF

HON. EDWARD E. ROBBINS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 2, 1919.

Mr. ROBBINS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a speech by Hon. WILLIAM S. VARE before the City Business Club at the Adelphia Hotel, Philadelphia, on December 9, 1918.

The speech is as follows:

SPEECH BY HON. WILLIAM S. VARE BEFORE THE CITY BUSINESS CLUB AT THE ADELPHIA HOTEL, PHILADELPHIA, DECEMBER 9, 1918.

Gentlemen, if I had longer time I might discuss my subject with particular profit not only to myself but possibly to some of you gentlemen.

I have been assigned, I understand, to discuss "The Inside History of the Political Game in the City of Philadelphia." Possibly in days gone by, in the olden times, there may have been cause for discussion, but not within the last 12 years, since the introduction of the direct primary system, which, as I recall it, was passed by the General Assembly in 1906.

As you all know, we have the direct primary system. It costs absolutely nothing for a person to file a petition to be nominated for office. It is open to all. It is a system of democracy in its broadest terms.

What is the inside history of the political game as now played in the city of Philadelphia?

It is absolutely founded on the same things that are the basis of every successful man's business; that is, first, truthfulness, and, second, quality of service. Now, those two great principles are naturally augmented by many things. Back of this system of truth and service is unlimited energy, perseverance, activity, and extreme close touch with the citizenship of our city.

For instance, the active party man becomes a candidate for membership of the ward executive committee in his election division, and under the party rules there are two members for each election district, who make a canvass of their respective voters, and if they have had a majority of the votes cast become members of the Republican ward executive committee. No one can contend for a more representative system. These gentlemen elected assemble at a time fixed by law and select a member to represent them in the Republican central campaign committee, who therefore becomes an indirect representative of the people. These men assemble at the party headquarters, one representative from each ward, and on a day fixed by law vote for a president, vice president, treasurer, and secretary of the Republican central campaign committee. Therefore your party organization is formed in accordance with the law under the most representative system of democracy that could be proposed by any body of men.

Now, these men are required to be industrious, truthful, are on the job, as it were. If they carry out the advice given them by men in responsible positions or men in high authority, they are in close touch at all times with the voters of their election district. So it is that before the election days roll around attention is paid to, first, the qualification of the voter; and, second, to seeing that he is assessed; and, third, that he is properly registered; and, this having been done, he is then kept well acquainted with the issues and topics of the day, so far as applies to the oncoming campaign. So it is there is a great compact body of intelligent, active Republicans working for the success of the party.

There are times when the policy of this great party organization may not appeal to the public press and they disagree. Certainly that is their right. But in Philadelphia the Republican Party, at times, has been successful without their support, and this does not apply to many other cities. The political system very often carries with it the ownership of great newspapers. That seems to apply in localities where there is not a well-defined party organization. For instance, we find in the great State of Illinois a recently successful Republican candidate for United States Senator, Mr. MEDILL MCCORMICK, who is the owner of a great Chicago newspaper. That is largely the medium by which he was enabled to have a system of publicity for his very many beneficial acts as a citizen and as an active progressive member of the lower House of Congress. I have the highest regard for him. He is one of the most distinguished Representatives. But I repeat again he did not have a compact political organization throughout the State of Illinois. Yet he had a substitute, as it were, to it in the ownership of a great newspaper.

I can look through that body of Representatives from different sections of the country, and in a great many instances the Members of the lower House of Congress are the owners of important newspapers, and it is their medium of imparting information to their constituents in their different campaigns.

Getting back to the success of the Republican Party in Philadelphia, persons will say, "Why is it that Philadelphia is the only large city in the country which gave Justice Charles E. Hughes such splendid Republican support?" He did not carry Boston, Chicago, or New York City, but he did carry Philadelphia by 100,000 majority. Why was it?

You went to a moving-picture show, which many of you men did in Philadelphia and Atlantic City. There would be President Wilson's portrait on the screen and one of Justice Hughes. On every occasion Mr. Wilson got the greatest applause, but when the votes were counted in Philadelphia, and there was not a single complaint in the city as to unfair or wrong conduct on the part of a single election officer, Mr. Hughes was returned with an overwhelming majority.

In the recent election for governor, notwithstanding that there were printed long articles in which some members of the Democratic Party complained of the method of holding elections in Philadelphia, before the election was held, none were made afterwards. I emphasize the fact that in nearly 1,400 election divisions of the city not a single complaint from any citizen throughout the entire city was received. I submit that is a wonderful record for a party organization in conducting a campaign for the high office of governor, for members of the lower House of Representatives, for members of the Senate of Pennsylvania, and for 41 members of the lower house at Harrisburg, and as the result of that election Philadelphia gave the Republican Party 100,000 majority, notwithstanding there was a great question brought in of "wet" or "dry," which seemed to confuse the voters in other large municipalities. This issue carried in New York City. It carried there by a quarter of a million votes and carried in every other large city. But in Philadelphia it had absolutely no effect on the electorate. The voters chose intelligently and wisely under the dissemination of information, as it were, by the active Republicans of the city through the channels of the Republican Party.

So it is that we find that the election, which resulted in giving the candidate for governor of the State 100,000 majority in round figures, and the election of all Congressmen, the election of an entire Republican delegation to the State Senate, and all of the 41 Republican members to the lower house of the General Assembly. Not a single complaint was made of disorder or a question raised as to the honesty and integrity of those men who made a great sacrifice, staying from their homes continuously for 20 hours to properly look after the election returns, and they only received $5 a day, clerks and inspectors, much less than they would have received for eight or nine hours' labor.

Thus in Philadelphia the party organization is conducted on the highest possible plane of efficiency.

Why is it some say that the Republican Party of Philadelphia retains the confidence of the voters, notwithstanding the opposition of every newspaper in the city? It is a condition not equaled in any city of the civilized world. Why is it? The answer is: The organization is based on truth, on integrity of purpose; its members carry out this policy in dealing with their fellow men. There is no equivocation or mental reservation. Every man who applies to the Republican city committee or any of the higher officials on any question receives a straightforward "yes" or "no." As it is, there is that degree of confidence which must necessarily follow when you are dealing with men frankly, openly, and aboveboard.

When you couple that with the industry of 365 days in the year there is that cohesion, that solidarity of party organization, which has been so extremely successful in the city of Philadelphia.

The people of Philadelphia are no different from the people of Pittsburgh; there is just as much interest in the Republican Party's policy of a protective tariff as in Philadelphia; but what do we find there as a result of unorganized politics—a Democratic Member in Congress is representing one of the greatest industrial districts of any part of this country.

I appeal to you, Does not organization of a correct character mean well for the interest of the business men rather than disorganization?

Then there is this to be said about the local party organization. It is the absolute direct representative form of government. It does not appeal to the owners of newspapers or to a class of men who like to see advertisements of their names from time to time printed in the newspapers, or to the so-called reform body. It does appeal, however, to the common sense of the thinking man of the city who is interested in having his taxes kept at a reasonable rate as they are in the city of Philadelphia.

I recall sometime ago when a large body of real estate men held a meeting at the Manufacturers' Club. I was in Washington at the time. Those gentlemen later came to see my brother, State Senator Edwin H. Vare. He said: "I am in entire sympathy with you. I do not have any vote in the councils of our city, but certainly I shall be glad to advise and cooperate with you and with the thought in mind, that there shall be no increase in taxes next year."

There was nothing particularly wrong about that, but there was not a single newspaper in Philadelphia that would tell that to the public as it happened. They rather made it appear that Senator Vare was sitting there as an autocrat, passing on the duties which belong to members of city councils, when, as a matter of fact, the only thing he agreed to do was to submit the request which this distinguished and representative body of real estate men had submitted, with the assurance that so far as he was able to do it he would consult with those who held the responsibility of fixing the taxes. The taxes have been fixed for our city during the next year, and notwithstanding the increase in the price of commodities there will be no increase of taxes in the city of Philadelphia during the next year. [Applause.]

There are some who would like to abolish the councilmanic representation.

Let me tell you how that would work out. At the present time you have a representative in select council for each ward, making 48 in all. You have also one for each 4,000 voters in each of the wards in common council. Some few well-meaning men would like to change that system and they received quite a lot of newspaper notoriety. The public press printed in great headlines, "What the committee is going to do."

They proposed this same thing two years ago. It was not done. The legislature met and it was not done. Did these distinguished gentlemen present this issue to the voters? Did these newspapers who are giving it such great headlines now present their issue to the people of the city when these senators and members were being elected? No. The election is over and the voters are not being consulted; these gentlemen—high-minded, some might say; others might question their motives—did not present any of these issues. They would have the city give up representative government at this time, in face of the fact that we have been fighting a great world-wide war for this very thing of representative democratic government.

For instance, let me take the gentlemen from Germantown. There now you have five men in the common council and one in select council.

Suppose you wanted some additional electric lights, highways better paved, and numerous things of public development. As it is now, you would go around to the home of your councilman and present your request to him. Under the so-called system of commission government, you would go down to the city hall to see one of the commissioners, and do you think you would find the commissioner? Do you think he would be sitting from 8 o'clock in the morning to 7 at night? You would not find the commissioner, but a clerk. You would probably look in the window and the clerk would take your complaint. No opportunity would be given you to present your views to one familiar with the subject.

I ask you, gentlemen, if this is representative government—whether you would not prefer to go to one of your esteemed neighbors who represent you in council and know your immediate needs? I ask that question of the man who lives in the central and south or western part of the city—if he would not rather go around the corner to your neighbor, who thinks about

you, and take up the proposed question of public development with the ward representative directly rather than with a clerk at the city hall? Do you not get better service and more representation?

That is the difference between the present system of representative government, as represented by the ward system in the city, and that which would be under the so-called small council or a commission government.

We very frequently have questions taken up by the public press from time to time, and some that seem to agitate the public greatly.

There are four great questions: First, water; second, lighting; third, street car transportation; and I might add a fourth, the greatest of all, education. Education has been separated, so that it is not now a part of the local life of the so-called political system.

The other day I had occasion to see my attorney over in Camden. I had a lawsuit on sometime ago. I got on the car at Fourth Street in Camden and rode to Market Street Wharf, about four blocks. I got on and had no change. I gave the conductor a dollar bill and he gave me my change. It cost me 7 cents to ride from Fourth Street to the wharf. I was in Wilmington and it cost me 6 cents to ride on the car. I was also in Atlantic City and had to pay 6 cents.

Gentlemen, I have not seen a single line in the Philadelphia newspapers telling the people of Philadelphia that you are getting 5-cent car fare and riding farther for 5 cents in Philadelphia than in any city in the world. I have never seen a single line of this in any newspaper. That is not a complaint on my part. I have absolutely no complaint to make of the Philadelphia newspapers. So far as I am personally concerned they treat me with the greatest respect, and I am on terms of intimacy with virtually all the owners of the papers.

I simply ask the question, Why does the public press of our city not point out to the entire people the many advantages, many virtues, of this splendid city of Philadelphia, in which we are rearing our families? That is simply the question I ask the press, and I ask you, Why do you not use your influence with the newspapers and point out to them the importance and what it means to you in your business life?

Do you suppose for a moment, for instance, that a woman living halfway between here and New York, when she leaves the house to do some shopping, that if she picks up the Philadelphia newspapers and finds great headlines attacking the mayor of the city, the governor of the Commonwealth, or the President of the United States she not only loses respect for these high officials but, when it applies to the mayor of our city, does it not cause the intended purchaser, who is about to do the Christmas shopping, to have a doubt in mind as to the wisdom of visiting Philadelphia and to send that business to New York?

I simply submit that as a query for you gentlemen to give consideration.

Now, Pennsylvania in some parts has a foreign-born people or people of foreign extraction of nearly 50 per cent of its population—in some small centers even greater than 50 per cent and in others not quite as much. I have in mind the southeastern part of our city, where there is a community comprising two wards. In these two wards there are approximately 10,000 voters out of a population of about 75,000 inhabitants. When the vote is counted in that great population (without a single complaint) there are only 200 Socialist votes.

In a similar population in New York City at the recent election, and in a district comprised of the same foreign extraction, there were 4,500 Socialist votes, and to such a great extent socialism existed that in four districts in order to keep Socialists out of Congress it was necessary for the Republican and Democratic parties to combine on the same men, so that in two districts the Republicans joined the Democrats, nominated and elected two Democrats, and in two districts in return two Republicans were nominated and elected. It took both parties together to keep down socialism, which had been making such great strides.

I ask you men if attacking the President of the United States or the governor of the Commonwealth or the mayor of the city does not have a tendency toward creating suspicion of them, thereby destroying confidence in public officials who have relations with the man of foreign birth who comes to our shores?

What system is best qualified and equipped to combat "isms" of that character?

Is it the system where 12 men—as they did a year ago—go into a back room—six of them not being residents of Philadelphia—and assume to select a ticket in opposition to that which had been selected by 157,000 voters at the direct primaries? Would men of the type of W. Freeland Kendrick, Esq., who sits in front of me here, who received the people's indorsement, be better qualified to meet the people on common ground, or would the man who never touches elbows with his fellows be as well qualified to meet the people and allay any suspicions there might be in their minds?

I submit to you whether a representative government represented by 157,000 votes under the direct primary system is after all not of the essence of democracy, rather than 12 men going into a back room, 6 of whom were not qualified and had not registered, and who presented the so-called reform "Town Party" ticket to the citizens of Philadelphia, containing one man who ran for the high office of receiver of taxes, who did not have a vote but who filed an affidavit before the registration commission stating under oath that he had been absent from the city the entire three registration days, but when the time came for him to appear and finish his enrollment he did not go. Why? This gentleman who stood out as an apostle of reform knew that the one affidavit already filed was false, and a second affidavit might have led him to places which were extremely undesirable, where free air and sunshine were not so easily secured as they are on the great highway of the city. [Laughter.]

Not to be too serious, but frank and truthful, the final success of the Republican Party in Philadelphia is, first, truthfulness; second, intelligent, efficient service; third, industry and perpetual activity; and above and beyond these and coupled with them are the anticipation of the needs of the community, anticipating the things which would be beneficial to the community, and the setting about to secure those things for the people.

There are three kinds of Republicanism throughout the country and as many kinds of leaders.

There is the man who has power, and says to his friends: "I am not going to bother with this excitement. That will all blow over. I am not going to pay attention to these things—these new ideas." That man who is "stand pat" absolutely, and would like to have his party run on the same lines that it was run 50 years ago, telling about the stories of the great men of the past.

There is the man who will rush wild every time he sees a great crowd assembling, preaching new doctrines.

But the Republican Party of Philadelphia, first, with its firm belief in the principles of the Republican Party, with its years of experience, coming in close contact with the common people of the city, having an extreme interest in the upbuilding of the public school system, being interested in a well-governed city, with a well-lighted, well-paved system of highways, seeking the best possible methods of transportation for its people, seeking light in every dark alley, seeking and anticipating the needs of all sections of the city, and using the power of the party organization in order that beneficial public development might be placed at the doors of the people, not as a result of an uprising, but in a cool, calm, deliberate manner, and obtaining for them the things that are sane and wise, conducive to make one's life (amid good surroundings) happy, of great prosperity, and contentment of mind. Having these things in mind, so far as I am concerned, as well as those who are associated with me in the conduct of or in the assistance in the party organization of the city, this great organized power shall be kept intact. With the sympathy and cooperation of the great masses of the people of our community this great power will be intelligently used for the advancement and development and best interests of the people of this splendid city in which I was born and in which I intend to spend the rest of my life.

I thank you. [Long applause.]

EXTENSION OF REMARKS

OF

HON. JOHN A. ELSTON,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

Mr. ELSTON. Mr. Speaker, I am opposed to proposed amendments of the Dent bill (H. R. 13274) whereby a legislative committee or a new commission shall make the adjustments and settlements authorized by the terms of the bill. I am convinced that the machinery set up by the Secretary of War is far preferable, and I believe it will contribute to the RECORD and to this debate to incorporate here a very able discussion of the subject furnished me by Mr. Max Thelen, at present surveyor of contracts and assistant to the Director of Purchase, Storage and Traffic in the War Department. Up to last summer Mr.

Thelen had been for several years president of the State Railroad Commission of California, and he has also been honored with the presidency of the National Association of State Utility Commissioners. He resigned his position in California to serve the Government, and since June 14, 1918, he has performed unusual service in the supervision of the contract and purchasing policy of the War Department. I may say that he is a Republican in politics. In his memorandum Mr. Thelen says:

1. The adjustment commission is entirely unnecessary.

Adequate and efficient machinery to handle all claims has already been established and is now working in the War Department, and the proposed adjustment commission is entirely unnecessary.

By far the largest number of contracts and orders are outstanding in the Ordnance Department and in the Purchase and Storage Division (formerly the Quartermaster Corps).

The Ordnance Department already has in operation a central claims board in Washington and district claims boards in the following districts: Baltimore, Boston, Bridgeport, Chicago, Cincinnati, Cleveland, Detroit, New York, Philadelphia, Pittsburgh, Rochester, St. Louis.

The Purchase and Storage Division already has in operation a central board of contract review in Washington and zone boards of review in the following zones or districts: Atlanta, Baltimore, Boston, Chicago, Fort Sam Houston, Jeffersonville, Ind., New Orleans, New York, Omaha, Philadelphia, St. Louis, San Francisco.

The Bureau of Aircraft Production, Chemical Warfare Service, Construction Division, Corps of Engineers, and Signal Corps handle a smaller number of contracts, and each has a board of contract review stationed in Washington.

The decisions of the local boards are transmitted to Washington for final review.

Each of the foregoing boards, together with a large personnel of contracting officers and assistants, are now actively at work on the suspension, termination, and settlement of valid formal contracts and orders, to the end that contractors may receive promptly the payment of moneys which are fairly due to them.

These settlements are all made in accordance with principles promulgated by the War Department in Washington, and the action of the local boards is subject to careful supervision from Washington.

If agreement is reached as to the money due to the contractor, payment is promptly made on approval by the reviewing authority. If an agreement can not be reached, then under an arrangement approved by the Comptroller of the Treasury by letter dated November 25, 1918, the contractor may forthwith be paid up to 75 per cent of the amount conceded by the contracting officer to be due to him, and may then file with the Secretary of War his petition for a determination of the balance due to him.

For the purpose of handling such petitions, the Secretary of War, by General Order No. 103, established the board of contract adjustment, charged with the duty of hearing and deciding such cases, and consisting of the following three members: Lieut. Col. Christopher B. Garnett, formerly chairman of the Corporation Commission of Virginia; Lieut. Col. Herbert H. Lehman, member of the firm of Lehman Bros., bankers, of New York; Lieut. Col. Edward B. Malone, formerly assistant corporation counsel for the Borough of Queens, New York.

This board hears only such cases in which the contractors and officers of the Government have been unable to agree as to the amount due to the contractor.

The foregoing boards and officers, now at work on the suspension, termination, and settlement of valid contracts and orders, are ready, on the enactment of the legislation which the War Department has requested, to begin work immediately on the cases in which contracts were not made or signed as provided by law.

The War Department having already in operation a sufficient number of qualified boards and officers with ramifications all over the country well able to dispose promptly of the immense number of settlements with which the War Department is now confronted, it follows that the adjustment commission proposed by S. 5261 is entirely unnecessary.

2. The adjustment commission would cause great and serious delays.

Before the proposed adjustment commission could start work the following steps would be necessary:

(1) The bill must be enacted.
(2) The President must appoint the members.
(3) The Senate must confirm the members.
(4) The board must organize and gather together its office force.
(5) If regional boards of examiners are appointed, their membership must be selected and their machinery started.

When these steps have all been accomplished, the board will find itself confronted with an impossible task. There are over 6,000 instances of informal agreements which have not been followed by the necessary formal contracts. If to this number are added the cases in which formal contracts were executed but not properly signed in behalf of the Government and the further cases in which it is now necessary to terminate valid contracts which were legally made and signed, there will be a minimum of 20,000 to 25,000 contracts which will come before the proposed board and which under the bill must be decided by its three members within one year. The mere statement of this proposition shows the utter impossibility of its accomplishment.

On the other hand, the War Department, working through its 8 central boards of review in Washington, its 24 local or zone boards in the various sections of the country, and its thousands of contracting officers and assistants, all familiar with the work and already in operation, can make these settlements promptly and will do so if permitted so to do.

If contractors must wait until the proposed adjustment commission is organized and gets into its stride and reaches their particular cases among the more than 20,000 which are to be decided by this board, thousands of contractors will suffer undeserved loss and large numbers of them will be forced into bankruptcy.

It is most earnestly urged, in the name of the honor and good faith of the Government and fair play to the contractors that no such plan be adopted, but rather that the existing adequate and efficient machinery already established by the War Department be permitted to continue and complete its work.

As bearing on the personnel and the expenditures necessary in the determination of large numbers of cases, by prompt and informal methods, attention is invited to the following illustrations:

(1) The Interstate Commerce Commission consists of nine members. During the year ending October 31, 1917, the commission decided approximately 1,000 formal proceedings and 10,000 informal proceedings, with an organization of approximately 700 employees and an expenditure of $1,060,000 chargeable to this work. The Hitchcock bill proposes to have three men decide in one year at least twice as many cases on an appropriation less than one-twentieth as large.

(2) The Public Service Commission of New York, second district, a typical State public service commission, decided in 1917 approximately 450 formal proceedings and 1,350 informal proceedings, a total of 1,800 proceedings on an appropriation of approximately $400,000. The Hitchcock bill proposes to have the adjustment commission decide approximately twenty times as many cases with one-eighth the appropriation and personnel.

River and Harbor Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM W. GRIEST,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 11, 1919.

Mr. GRIEST. Mr. Speaker, that the Susquehanna River should be made navigable, if feasible, is so manifest that argument is not needed to convince those who have knowledge of the fact that it drains a larger area of territory and carries to the sea a greater volume of water than any other North American river that empties into the Atlantic Ocean, the St. Lawrence alone excepted. It traverses an agricultural region whose fertility is unsurpassed anywhere, more than one-half of its length from Harrisburg to Chesapeake Bay being embraced within the limits of Lancaster County, Pa., which is admitted to be the first agricultural county in the Union. It also touches at Harrisburg and elsewhere in the county of Dauphin, Pa., as well as in the counties of Lancaster and York, veritable beehives of industrial activity. It goes without saying that to open up this waterway is to cause many blades of grass to grow where but one grew before, and multiplying the productivity of the regions affected will increase and cheapen food and other supplies essential to the Nation's well-being.

The item relating to the Susquehanna River, on page 29 of the pending rivers and harbors appropriation bill, will, if enacted, make effective the measure—H. R. 13180—which I introduced in this session of the Congress. My bill provides for a survey, under direction of the Secretary of War, of the river between its mouth, in Maryland, and the city of Harrisburg, in Pennsylvania, in order to determine the feasibility of making the river navigable and to report to the Congress the cost thereof.

There can be no conceivable reason why the feasibility of this project should not now be ascertained. The Susquehanna is now a navigable stream for perhaps 5 miles of this distance—from Havre de Grace, at its mouth, to Port Deposit. Thence northward to Harrisburg is a distance of about 60 miles. So that the entire distance to be covered in the survey authorized in this bill is only 65 miles, approximately.

Whilst the Susquehanna River is rated by the War Department as "navigable" in the State of Maryland and "nonnavigable" in the State of Pennsylvania, yet I am glad to be able to state, on the authority of a former Secretary of War, Hon. Lindley M. Garrison, that there "is nothing in the ruling of the department" that can possibly interfere with the right of Congress "to pass legislation authorizing the improvement of the Susquehanna River over any greater portion of its length than is now navigable."

My correspondence with the War Department is as follows:

LETTER OF INQUIRY TO WAR DEPARTMENT.

MARCH 27, 1914.

Hon. LINDLEY M. GARRISON,
Secretary of War.

DEAR MR. SECRETARY: About the year 1904 an Executive order was issued declaring the Susquehanna River nonnavigable in the State of Pennsylvania. A Member of the House during the recent debate on the rivers and harbors appropriation bill stated that the action of the Government was "a very unusual proceeding," and that the people had been "denied the rights of navigation and supervision by the Government of the United States on their river and its tributaries."

Would you kindly cause me to be furnished with a copy of the Executive order and with such statement as the department can make concerning the reasons for the Government's action?

Appreciating such detailed information as can be supplied me, I have the honor to remain,

Yours, very truly,

W. W. GRIEST.

WAR DEPARTMENT,
Washington, April 7, 1914.

Hon. W. W. GRIEST,
United States House of Representatives.

SIR: Replying further to your letter of the 27th ultimo, regarding the Executive order which declared the Susquehanna River nonnavigable in the State of Pennsylvania, I have the honor to inclose herewith copy of a decision by the Hon. William H. Taft, Secretary of War, un-

der date of March 9, 1904, which it is believed is the decision to which reference is made.

Section 9 of the river and harbor act of March 3, 1899, provides that it shall not be lawful to construct any bridge over any navigable river or other navigable water of the United States until the consent of Congress shall have been obtained and until the plans shall have been approved by the Chief of Engineers and by the Secretary of War: *Provided*, That such structures may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced.

The decision which was rendered was in connection with the application of the Philadelphia, Baltimore & Washington Railroad Co. for approval of plans for the construction of a bridge across the Susquehanna River at Havre de Grace, Md., and simply related to the question as to whether it would be necessary for the company to obtain authority from Congress or not for the construction of the bridge. The Secretary of War, as you will see from the decision, decided that there was no interstate navigation such as was in the mind of Congress in making the distinction as to bridges for which authority was required by Congress and those for which it was not, and for this reason considered that the consent of the Secretary of War was sufficient and that the construction of the bridge could be allowed in accordance with the plans to be approved by the department. Such decisions are not at all uncommon, having been made in the case of the French Broad, the Allegheny, and the Cheat, among others.

Should Congress at any time desire to pass legislation authorizing the improvement of the Susquehanna River over any greater portion of its length than is now navigable, there is nothing in the ruling of the department that has been made that will have the least effect upon such action of Congress; and should the improvement be extended upstream into Pennsylvania, the practice which has heretofore been followed in the department of permitting bridges to be built across the river without the special authority from Congress in each case would, of course, be changed so as to correspond with the new conditions.

Very respectfully,

LINDLEY M. GARRISON,
Secretary of War.

COPY OF SECRETARY TAFT'S DECISION.

Copy of decision of Hon. William H. Taft, Secretary of War, March 9, 1904, defining the extent (geographically) of the navigability of the Susquehanna River. The decision was rendered in connection with application of the Philadelphia, Baltimore & Washington Railroad Co. for approval of plans for the construction of a bridge across the Susquehanna River at Havre de Grace, Md. (Copied from War Department record 6148.)

WAR DEPARTMENT,
Washington.

In the absence of Assistant Secretary Oliver, I have reexamined the question as to whether the Susquehanna River can be said to be a navigable river within the provisions of the act of Congress requiring that navigable rivers in two States shall not be crossed by bridges, except by authority of Congress, or should be considered as a navigable river within one (e) State, consent to cross which may be given by the legislature of the State with the approval of the Secretary of War.

My own judgment is that in the present condition of the Susquehanna River it is navigable only within one State. There is no interstate navigation such as was in the mind of Congress in making the distinction. For this reason the consent of the Secretary of War will be regarded as sufficient and the construction of the bridge allowed in accordance with plans to be approved by this department. This conclusion is reached on the assumption that the State of Maryland has already consented to the erection of the bridge.

WM. H. TAFT, *Secretary of War.*

The attitude of the War Department, which, as the dates of the above letters show, was made plain some years ago, is, I am given to understand, its attitude now, and removes all question of the propriety of enacting the legislation proposed in H. R. 13180 and favorably reported by the Committee on Rivers and Harbors on page 29 of the pending appropriation bill.

The House will do an injustice to the great States of Pennsylvania and Maryland and to the Nation at large should it fail to ascertain at an early date whether or not the navigability of this great river can be extended northward at least as far as the capital city of the Keystone State.

Eulogy of Theodore Roosevelt.

EXTENSION OF REMARKS
OF
HON. PHILIP P. CAMPBELL,
OF KANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 7, 1919.

Mr. CAMPBELL of Kansas. Mr. Speaker, under the leave granted to me to extend remarks in the RECORD, I insert the following article from this morning's Washington Post:

[By William Howard Taft.]

A great man has gone from among us. A full decade of usefulness was before him had he survived the Psalmist's period. He leaves us in the full vigor of his intellect and with no visible failure of that bodily strength that was in full harmony with his mind. He found opportunity to develop his sympathetic interest in all sports which he retained through life. It was characteristic of him that he took no interest in golf, preferring the intenser contest of boxing and tennis and the greater consumption of energy in tree chopping.

After graduation at Harvard in the class of 1880 and a course of law in Columbia he at once entered politics. He served in the legislative chambers of New York as a youth. He was delegate at large to the national convention of 1884 and a prominent figure in it, though only four years out of college. Then followed his service as a national civil-service commissioner, police commissioner of New York, and Assistant Secretary of the Navy.

OVERCAME EVERY OBSTACLE.

When the Spanish War came on over every obstacle he rushed to a lieutenant colonel's command of the Rough Riders, and a conspicuous part of the war. He became governor of New York, Vice President of the United States, and, on the death of President McKinley, succeeded him and was elected to a second term.

From the close of his college days until the declination to run again in 1908 for the Presidency he was constantly in public service and most active in it. He impressed himself on every task and gave it the color of his personality.

He was original, he was progressive, he was courageous, he was practical. He could challenge public interest and summon public sympathy to his aid.

In spite of all this labor in the public vineyard, he found time to read and write much. History he studied with a love of heroes who struggled and did things. Whatever he wrote was interesting. His opinions were his own. His descriptions of historical characters were graphic and often pungent.

OPPONENTS EMBARRASSED.

When he did not like a man or a people or a faction, he said so. He hit hard. His political enemies found much with which they thought to prejudice the descendants of those he attacked. But, as he said himself, he had written so much that his political opponents were embarrassed by their riches that they never made successful use of them.

The greatest work of Theodore Roosevelt was in his successful fight against the corporate control of politics. There was a real danger from this when he took office. When he left the Presidency he had set the current which carried corporations out of political power and rid our body politic of a growing disease. He was the victorious crusader in this fight.

LEADERSHIP OF PROGRESSIVES.

In respect of Col. Roosevelt's organization and leadership of the Progressive Party, there have been much difference and discussion which it would not be appropriate now, if ever, to review. But certainly it may properly be referred to, to show the strength of his hold on the American people, that he could, on whatever ground, break up the great Republican Party and win over to the party of his sole creation a larger vote than that given the regular Republican nominee.

Circumstances doubtless aided him, but without his wonderful personality and leadership the result could not have been achieved.

Theodore Roosevelt, with his brilliant, quick, and intense nature, made mistakes. Who does not? It would be characteristic of him in the calm of a long subsequent period freely to admit them. Those whose training makes them regard the proper administration of justice as the highest function of the State, regarded his attack upon the courts and his proposed change in the finality of their judgments as one of those mistakes. Whether he changed his views or not, he ceased to press the subject.

Great leaders of men must have confidence in themselves and their powers. Such confidence leads to egoism if it is not itself that quality. Theodore Roosevelt was a leader of men, and had that quality. But it did not hide his good fellowship and redbloodedness, his teamwork loyalty to those who were helping the cause he was fighting.

He was a most delightful chief to serve under. He was not a great administrator in the sense of knowing how to organize and conduct any great department, but he had the executive talent to select the men who could do this, and to inspire his appointees to devotion to his official purposes that made for his great success. He hunted for the biggest men he could find to do the tasks to be allotted; he was too broad to be jealous of them. He appreciated their work. Indeed, he overpraised it. He was most amenable to reason and correction by any one of them whose loyalty he knew and whose ability and judgment he had tried.

NO FALSE PRIDE OF OPINION.

He had no false pride of opinion and would reverse himself and embarrass himself in so doing when a trusted adviser

pointed out his error. Mr. Roosevelt loved to fight. Controversy he enjoyed. Courage was his strongest trait; confidence in victory was constant with him to the end. He summoned all his energy and all his available weapons for the battle.

He said he liked to get close up to a man when he fought him. This absorption in a contest gave his every controversy a personal tone and aspect that commanded public attention but did not really add to the argumentative force of what he said.

It stimulated the enthusiasm and sympathies of his earnest and devoted followers but did not, perhaps, win over doubters. His tendency to the personal in controversy led him in the heat of the issue at times to criticisms of his adversaries which in after days he would sometimes qualify.

A REFORMER BY NATURE.

Mr. Roosevelt was a reformer and progressive by nature, but he was looking for real results. He was willing to compromise with conditions if he could make real headway. He had no patience with the reformer who was not willing to take a practical view and who, in his insistent demand for all he sought, would sacrifice real but less ambitious results.

He did much to further the cause of civil-service reform by enforcing the law as commissioner against the reluctance of national administrations. He tried to make things better by good appointments to office. He enlarged the classified service, but when he was in a political fight he was a most formidable antagonist.

MASTER IN CAMPAIGN.

He knew politics and politicians well, and he was a master in conducting a practical campaign. He knew the American voters. He could challenge their attention and win their support as few have done in the history of American politics.

He could invent a slogan which in a word or a phrase gave a full argument to his supporters that would win victory. He bound his followers to him with hooks of steel.

Neither Clay nor Blaine inspired more personal devotion. No one who ever came into personal contact with Theodore Roosevelt could ever forget the charm of his nature, responsive in the most sensitive degree to every advance of good will and good fellowship. He delighted in conversations, which he illuminated with flashes of wit and humor directed against himself or any other whom the topic suggested.

ENRICHED ASSOCIATIONS.

His wide reading, his strong literary taste, his world-wide experience with men and things enriched associations with him and left epigrammatic phrases and unique illustrations in the memory of those fortunate enough to enjoy it. Wit he had and enjoyed. He would characterize men and things with a humor which, by its fantastic color, would fix itself in the minds of those who heard it forever. He thus made words over, giving them a new meaning which the world accepted.

WAS A MAN'S MAN.

He was sweet, tender, and kind in his relations to women, but he was a man's man. He was a manly man. His sincere Christianity was masculine and affirmative. He feared the weakening effect upon men of an absence of the sacrifice, the physical courage, and the effort which war requires and stimulates.

He looked askance at any proposals for permanent peace which might involve national surrender of principle or self-respect. Ultra pacificism he condemned with almost the same emphasis which he visited upon treason, because he thought the results were the same. He made an inspiring hero for young men, and he has done much to help them to high ambitions and manly, courageous lives. He taught them the strenuous life and the need for effort and sacrifice in achievement for good for the world and happiness for self.

NEVER WITHOUT A BOOK.

Few men have had minds and bodies as intensely active. In all his work he was never without a book of literary merits which he would read in any interval of time which he might snatch in his busy office. He was a most voluminous correspondent.

A freedom of diction often tempted him into a statement of his views at length in many letters to his intimates. He was prompt in preparation. No sooner was an article or a speech to be prepared than he was at it. He would, if his time allowed, revise it, submit it to his friends for suggestions, and accept them. He loved strong and affirmative statements. He had little patience with indirection in style or thought.

RESEMBLANCE TO NAPOLEON.

Theodore Roosevelt was a genius in mental quality, something resembling Napoleon. His "2 o'clock" courage, his capacity for enormous labor, his lightning quickness of perception in complicated legal and technical matters, his promptness in action, his eye for what would strike the popular imagination, his facility in coining a stirring appeal in a word or a sentence, his power of attaching men to his cause, all suggest the great French leader.

Mr. Roosevelt earlier than any other public man saw the real issues in this war, and with characteristic courage demanded what the majority thought unwise, intervention by our Government. He urged with a prophetic vision adequate preparation for the struggle he saw about to be forced upon us. He suffered much in mind and soul as he saw things left undone by our Government which he deemed essential to national safety and the performance of national duty. For over or above everything, Theodore Roosevelt was a deeply patriotic American. He had so intensified his passionate love of his country that it was natural in him. By acquiring an intimate knowledge and a profound appreciation of the great sacrificial struggle needed to make her great, he left no doubt of his willingness himself to render the ultimate sacrifice in her behalf. His spirit of patriotic devotion was web and woof of his character.

DEEP PRIDE IN HIS SONS.

He sent his four boys forth to war with the pride of a Roman tribune. Through his father's tears for Quentin's death there shone the stern joy that a son of his had been given to die the death he would himself have sought on the field of battle in his country's cause.

Theodore Roosevelt's example of real sacrifice was of inestimable value to our country in this war. The Nation has lost the most commanding, the most original, the most interesting, and the most brilliant personality in American public life since Lincoln.

Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. ISAAC SIEGEL,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 8, 1919.

Mr. SIEGEL. Mr. Speaker, to-day the whole world is paying homage to Theodore Roosevelt, the greatest American that this country has had in its midst since the passing away of Abraham Lincoln. He typified real Americanism in every word he uttered and in every deed he performed. Early in life he fought to live and as he grew older he fought for those things which he believed would better the world and those who are living in it. He was a New Yorker in every sense of the term. Born and bred in it, he knew its cosmopolitan population, not from mere observation or study of its people, but from actually sleeping and eating with them.

Few men will forget how he visited at night its sweatshops, first as police commissioner and later as governor and President. His courage at all times won for him a host of admirers, who will cherish his memory for all time. "Fear God and not man" was his advice to some young men who were just actively engaging in politics. He frequently expressed himself on every known subject before the country, and because he only expressed what he conscientiously believed was right, that his opponents were unable to find anything in his writings or speeches with which to confound him.

He never feared to take up the cudgels for the oppressed or the persecuted of the world. His emphatic protests against the pogroms in Russia and his bitter denunciation of the cruel treatment accorded to the Armenians demonstrated beyond words that he was a firm believer in justice for all men.

No American pictured the woes of Belgium or France with greater effect than he. Firm in the belief that we would have to go to war, he wielded his pen in favor of preparedness, and mainly through his efforts the Nation awoke from its lethargy.

He did not merely preach. He acted. He desired to fight as well as to talk. Prevented from going to Europe to help wage the war in person, he sent his sons. The supreme sacrifice made by Quentin Roosevelt undoubtedly hastened his end, but not a single word of grief escaped his lips in public, because he knew that others, too, were grieving.

When we were about to declare war against Germany in April, 1917, I ran across some of his sentiments, which greatly strengthened my views at the time. They are as follows:

We are the citizens of a mighty Republic consecrated to the service of God above, through the service of man on this earth. We are the heirs of a great heritage bequeathed to us by statesmen who saw with the eyes of the seer and the prophet. We must not prove false to the memories of the Nation's past. We must not prove false to the fathers from whose loins we sprang, and to their fathers, the stern men who dared greatly and risked all things that freedom should hold aloft an undimmed torch in this wide land. They held their worldly well-being as dust in the balance when weighted against their sense of high duty, their fealty to lofty ideals. Let us show ourselves worthy to be their sons. Let us care, as is right, for the things of the body; but let us show that we care even more for the things of the soul. Stout of heart and pledged to the valor of righteousness, let us stand four-square to the winds of destiny, from whatever corner of the world they blow. Let us keep untarnished, unstained, the honor of the flag our fathers bore aloft in the teeth of the wildest storm, the flag that shall float above the solid files of a united people, a people sworn to the great cause of liberty and of justice, for themselves, and for all the sons and daughters of men.

No greater tribute can we pay to Theodore Roosevelt than to ponder over his last plea in behalf of America, made on the eve of his passing away to the far beyond. Its words should act as an inspiration to every real American and make him realize that he must do his full duty by the Republic, both in times of peace and in war. It should be read by every citizen and would-be citizen. It should be explained and commented upon in every school and college in the United States. This is the message:

There must be no sagging back in the fight for Americanism, merely because the war is over. There are plenty of persons who have already made the assertion that they believe the American people have a short memory and that they intend to revive all the foreign associations which most directly interfere with the complete Americanization of our people.

Our principle in this matter should be absolutely simple. In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with every one else, for it is an outrage to discriminate against any such man because of creed or birthplace or origin.

But this is predicated upon the man's becoming in fact an American and nothing but an American. If he tries to keep segregated with men of his own origin and separated from the rest of America, then he isn't doing his part as an American.

There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag—the American flag—and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile.

We have room for but one language here, and that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one soul loyalty, and that is loyalty to the American people.

EXTENSION OF REMARKS
OF
HON. HOMER P. SNYDER,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

Mr. SNYDER. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert the following correspondence:

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., October 15, 1918.

Mr. FRANCIS H. SISSON,
Vice President, Guaranty Trust Co., New York, N. Y.

MY DEAR MR. SISSON: A few days ago I received by mail a copy of your address, on September 24, 1918, before the Savings Bank Section of The American Bankers' Association in convention at Chicago, Ill. I assume that the copy was sent me at your direction.

I have read your address with care. I quote the concluding paragraph:

"It is sincerely to be hoped that there may come a larger degree of appreciation of the meaning of transportation in the life of our people, and of the high importance of its fair and constructive treatment. The ambitions of politicians seeking an issue, the selfishness of shippers fighting to save dimes and losing dollars, the prejudices of theorists—the mistakes of the past, and the animosities of the present should not be allowed to interfere with the solution of the problem in the public interest. The public stake in this situation is greater even than that of the investor, and unless railroad investments are protected by the public the public itself will be the greatest sufferer. The need of the hour is sympathetic understanding. Upon that basis alone can a sound future be built for our railways and upon a sound transportation system alone can we build a sound and prosperous economic life."

In this brief and succinct statement you have epitomized the situation as I see it. Men who, amidst the stress of business and professional cares stop now and then to look ahead, foresee problems of surpassing importance that will confront this Nation when millions of soldiers ground their arms and seek civil employment; and when other millions of workers now engaged in producing the necessities of war turn their attention to the production of the things needed in time of peace. The problem must be solved with as little jar as possible to the active operation of our economic and industrial forces. On the one hand we might have bolshevikism, which is no government, and on the other we might have autocratic power, which is all government. Neither extreme is conceivable as a possible solution of the matter. There is a middle ground where the just rights of the capitalist, the laborer, and the public may be preserved. It is of more importance to the capitalist just at this time to recognize his obligations to the workman and the public than at any other period in the world's history. In order to save to himself his just share of the prosperity that is to flow from the new conditions which the war will bring about he must stand shoulder to shoulder with his fellow man in a concerted effort to put an end to old abuses and wrongs. I think you realise this. You apparently are given to clear thinking, and for that reason I take this opportunity of calling your attention to unjust criticism of the Interstate Commerce Commission which you make in the address before me and which you have made in other addresses.

I can but think that you have adopted statements of others, and have made strictures upon a governmental agency which has for more than 30 years endeavored to consider transportation systems submitted to its regulatory authority with a view to the best interests of the whole public, which of course includes the railroads, the shippers and receivers, and the investors, without that careful consideration of the facts that is generally characteristic of your public utterances.

For example, you stated in your address on September 24 of this year the following:

"It may be flatly stated that the decline in the value of railway securities in the past has been chiefly due to the refusal of the Interstate Commerce Commission and other regulating bodies to permit the railways to charge adequate rates, and under private management of the roads the value of railway securities can not be maintained in the future unless the commission will allow the companies to charge adequate rates."

In April, 1918, you delivered another address in Chicago, in which you said:

"The railroads had not kept pace with the growth of the country and could not bear the added burdens of war. Lack of credit, born of governmental regulation, had wrought this finish. The decline of railroad credit followed the enactment of the Hepburn Act, and the amendment giving the Interstate Commerce Commission power to suspend rates was continued with deadly certainty. Rates moved ever downward, expenses piled ever upward, uneconomic laws and multiplied regulations consumed revenues. Banks and investors looked elsewhere, and the unremitting conflict of the public wrought its own undoing. * * * A lack of understanding and vision on the part of the Interstate Commerce Commission and a too ready yielding to political sentiment have rendered it not the constructive friend of transportation which it should be, but transportation's fearful, hectoring keeper."

In this connection I invite your attention to statements made by Mr. Julius Kruttschnitt, the chairman of the executive committee of the board of directors of the Southern Pacific System, while under cross-examination in a congressional hearing in the city of Washington in March, 1917:

"Q. Another thing that you have mentioned several times is the fact that the legislation has hampered the operation of the railroads and thereby affected their credit. Do you believe that the interstate-commerce law, even with its amendments, as a whole has been detrimental to the railroads of the country?—A. No; I do not.

"Q. It has been highly beneficial, has it not?—A. I think so. It has substituted regulation for freedom of action in a great many directions, but there has been compensation, and more than compensation, by the elimination of abuses."

Thus spoke a practical railroad man who has been in railroad service all the years since regulations by the Interstate Commerce Commission began in April, 1887.

From 1891 to date the operating revenue of the carriers has exhibited a marked increase for each three-year period. The figures are shown by the following table:

From 1891 to 1893, inclusive	$3,488,920,612
From 1894 to 1896, inclusive	3,298,902,635
From 1897 to 1899, inclusive	3,683,625,512
From 1900 to 1902, inclusive	4,801,951,118
From 1903 to 1905, inclusive	5,958,503,404
From 1906 to 1908, inclusive	7,355,509,577
From 1909 to 1911, inclusive	8,138,201,597
From 1912 to 1914, inclusive	9,210,930,125
From 1915 to 1917, inclusive	10,253,254,882

The results to carriers from operations are shown by their gross and net earnings. The following table gives the gross earnings, the net income after payment of operating expenses and taxes, and the net income per mile of line of the carriers of the country for each fiscal year from June 30, 1891, to June 30, 1917:

Year ended June 30—	Operating revenues.	Income from operation.	Average income per mile of line.
1891	$1,096,781,395	$331,503,407	$2,056
1892	1,171,407,343	356,355,822	2,104
1893	1,220,731,874	356,315,886	2,090
1894	1,073,361,797	303,822,201	1,729
1895	1,075,371,463	309,818,614	1,743
1896	1,150,169,376	337,209,541	1,833
1897	1,122,689,773	326,427,165	1,781
1898	1,247,325,621	385,524,121	2,088
1899	1,313,610,118	410,303,437	2,188
1900	1,487,044,814	477,284,030	2,479
1901	1,588,526,037	507,184,395	2,593
1902	1,726,380,267	555,666,088	2,776
1903	1,900,846,907	585,458,486	2,852
1904	1,973,174,091	574,581,484	2,707
1905	2,083,482,406	628,405,576	2,896
1906	2,325,765,167	714,102,281	3,212
1907	2,589,105,578	760,277,389	3,343
1908	2,440,635,533	645,681,895	2,841
1909	2,473,205,301	732,642,093	3,145
1910	2,813,141,575	826,466,756	3,487
1911	2,852,854,721	768,213,345	3,156
1912	2,906,415,869	751,266,806	3,044
1913	3,193,117,834	829,963,248	3,420
1914	3,111,306,422	704,683,079	2,869
1915	2,950,193,202	728,212,079	2,842
1916	3,742,641,041	1,043,839,822	4,053
1917	3,824,419,739	1,069,750,514	4,032

Previous to the year 1910 carriers originated their rates and filed schedules containing them with the commission. The latter had no power to reject or suspend such schedules except for matters of form. In July, 1910, Congress gave the commission authority to suspend the operation of tariffs for a period not exceeding 10 months.

The following table gives the average rate of dividends declared on dividend-yielding stock of the railroads of the country from June 30, 1892, to June 30, 1916, and for the calendar year 1917, the net operating income per mile of road, per cent of property investment as shown by the books of the railroads, per mile for the same period, and the corporate surplus accumulations for each year from 1910:

	Average dividend rate.	Ratio of income to cost.	Surplus accumulations.
1892	5.35	3.77	
1893	5.50	3.88	
1894	5.40	3.20	
1895	5.75	3.26	
1896	5.62	3.48	
1897	5.43	3.29	
1898	5.29	3.75	
1899	4.96	4.02	
1900	5.23	4.53	
1901	5.26	4.69	
1902	5.35	5.02	
1903	5.70	5.19	
1904	6.09	4.23	
1905	5.78	5.10	
1906	8.03	5.58	
1907	6.23	6.61	
1908	5.07	4.78	
1909	6.53	5.34	
1910	7.50	6.73	$1,371,107,759
1911	8.03	4.87	1,726,830,100
1912	7.17	6.62	1,789,824,875
1913	6.37	6.12	1,998,803,446
1914	7.07	4.19	1,942,559,481
1915	6.48	4.09	1,536,787,176
1916	6.48	6.82	1,935,019,191
1916[1]	6.73	6.17	2,150,768,716
1917[1]	6.78	5.27	2,628,638,922

[1] Calendar year.

It will be noted from the figures that at no time were earnings, either gross or net, as great as from July 30, 1910, to July 30, 1917. Considered from the viewpoint of dividend payments, net income to asserted cost, or surplus accumulations, the railroads were never in so prosperous a condition.

In addition to this, the record is that the commission granted increased rates on so-called blanket applications by carriers from July 1, 1910, to July 1, 1917, that augmented their annual revenues by more than $350,000,000. Increased rates were also granted on individual applications in a great majority of instances, the amount of which can not be estimated. Increased passenger fares were also granted by the commission on application by carriers.

I submit to you that there is not to be found from these figures any reason, considering net revenues and accumulations, why the well-located and well-managed railroads of the country should have suffered a decline of credit in recent years.

After the leading transportation systems of the country were taken over by the Government as a war-emergency measure on December 28, 1917, increased passenger and freight rates were put into effect in June, 1918, by the Director General of Railroads, under authority conferred by an act of Congress for the purpose, as stated by him at the time, of insuring their efficient operation under the "high cost conditions that the war has imposed." He referred to enormous increases in the cost of coal and supplies consumed by the railroads, the estimated $300,000,000 increase in wages recommended by the Wage Commission, and additional increases that would have to be granted to other classes of employees. He further stated that—

"On account of these extraordinary increases in operating costs, which have come about as a consequence of the war, it is estimated that for the same aggregate business as last year, and under the same conditions, except as to prices and wages, the operation expenses for the calendar year 1918 will be from $830,000,000 to $880,000,000 more than for the calendar year 1917."

The purpose of the increased rates granted was thus stated to be to meet the exigencies of increases in railroad operation due to war conditions and not on account of anything done by the Interstate Commerce Commission.

The fact was that at the time the carriers were taken over they were in receipt of the largest income ever known. The burdens of war conditions called for Federal operation. Nothing that had been done by the commission was responsible for the condition in which the railroads then found themselves.

You refer to the fact that the power to suspend rates given to the commission in 1910 was continued with deadly certainty. The facts are a complete refutation of such a statement. During the year ended December 1, 1917, there passed to the files of the commission 131,810 tariff publications, a large number of them including increases in rates or changes in regulations that produced increased charges; and comparable numbers have passed to the files each year since 1910. From the date of the passage of the act in 1910, giving the commission power to suspend schedules, to November 30, 1917, 2,578 protests against proposed increased rates were considered by the commission. Of this number (1,424 cases) the rates were allowed to go into effect as proposed. Up to said date 1,154 cases were docketed for formal hearing, of which 234 were dismissed because the railroads voluntarily withdrew the proposed schedules; in 282 cases the proposed rates were allowed after hearing; in 188 cases the increases were allowed in part; and in 300 cases the increases were disallowed. Of the total number, 29 protests were withdrawn by protestants, and the rates became effective, and 118 were undisposed of. Practically all the latter have resulted in the proposed increased rates becoming effective in other proceedings.

I note you refer in your address to the decline of ton-mile earnings of the carriers in this country during certain periods. Without entering into any lengthy discussion upon this point I merely suggest for your consideration the following:

Ton-mile earnings are but one indication of the volume of receipts of a carrier, and by no means a controlling one. Ton-mile earnings are affected directly by the quantity and grade of traffic handled and the distance of the haul. In some sections of this country to-day the average ton-mile earnings exceed 1 cent. This average amount of earnings by all carriers, however, is reduced by the earnings on what we may term "low-grade traffic," such as iron ore, iron and steel, lumber, coal, lime, cement, brick, and the like.

In recent years there has been a marked increase in the loading and in the size of cars. Much of these low-grade commodities move in train-loads, both loaded and empty, thus securing to the carrier the largest economies in operation. If you will make your computations base on car-mile or train-mile bases you will reach the conclusion, I think, that the decrease in ton-mile earnings to which you refer is not a true indication of receipts to carriers from business handled.

I invite your careful consideration of the facts here presented. The figures as to gross and net earnings are those supplied by the railroads and the others are taken from the records of the commission. Any institution is properly to be judged by the results of its operations and activities, and the Interstate Commerce Commission is not an exception. The only aim and purpose of the commission has been to carry out the law. In doing so it has, so far as lay in its power, fostered and promoted the free movement of commerce throughout the country and has always considered the interests of the railroads as well as the shipping and consuming public.

I trust you will consider this communication in the spirit in which I write it. I do not occupy the position of a captious critic of your public utterances. My aim is to give you the facts with respect to certain statements you have made, in the belief that they must have been inadvertent. All of this is done in that spirit so well stated in the last utterance of your address, in which you say: "The need of the hour is sympathetic understanding. Upon that basis alone can a sound future be built for our railways, and upon a sound transportation system alone can we build a sound and prosperous economic life."

Very truly, yours,

C. C. McCHORD.

GUARANTY TRUST CO. OF NEW YORK,
New York, October 24, 1918.

Mr. CHARLES C. McCHORD,
Commissioner Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. McCHORD: Your letter of the 15th reached me right in the midst of our liberty-loan drive here, which has been the all-engrossing interest and occupation of us bankers, as you may imagine. As a result, I have not had time to carefully read or digest your thoughtful letter, but I want to acknowledge its receipt and assure you that I shall study it with the greatest interest, and I believe open-mindedness.

In approaching this railroad question I have no thought but to see and develop the truth as the proper basis for solving the problem of the future, which we face in it.

Thanking you for writing so fully, I will hope to be able to write you further in the near future. I am,

Yours, sincerely,

F. H. SISSON,
Vice President.

GUARANTY TRUST CO. OF NEW YORK,
New York, November 13, 1918.

Mr. CHARLES C. McCHORD,
Commissioner, Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. McCHORD: Since writing acknowledging its receipt I have found opportunity to read carefully your letter of October 15, in which you take exception to the statement made in my recent address in Chicago that the decline in the value of railway securities in the past has been chiefly due to the refusal of the Interstate Commerce Commission and other regulating bodies to permit the railways to charge adequate rates.

I have studied your presentation of statistics as to the earnings of the railways, all of which finally sift down to the return upon property investment. Your argument necessarily is that this return has been adequate. On this point, which is the crux of the whole question, we differ.

I do not wish to reopen the general argument for higher rates presented by the carriers to the commission in the rate cases of 1910, 1914, and 1917. It appears that the validity of the repeated pleas of the carriers for living rates has been fully substantiated in the action of the Government in advancing freight rates 25 per cent within a short time after the commission had advanced eastern rates by 15 per cent.

From the table on the sixth page of your letter I have taken the figures of net operating income from 1906 to 1917 and have had them shown on the accompanying chart. The rise in interest rates on capital is also shown, and note is made of the 5½ per cent average income of eastern carriers in the three years 1911–1913, which the commission in the Five Per Cent case characterized as below what was demanded in the public interest.

A study of this chart shows that in the decade before the war boom interest rates were steadily rising, but the tendency of railway income was unmistakably downward. During the same period, as was so well stated by Commissioner Daniels in the Five Per Cent case, commodity prices were rising. The railways were being driven into an economic impasse.

In these 10 years (1906–1915) the yield on the investment never reached 6 per cent, and after the 1906–7 boom it reached 5½ per cent in only one year (1910). In the last five years of the decade the average income was only 4.58 per cent, a figure certainly far below what was demanded in the public interest. Commissioner Harlan, in the Fifteen Per Cent case, said:

"So long as we look to private interests to furnish a transportation service for the country we must see to it that the rewards are sufficient to attract capital for its further development.

"Under present conditions this appears not to be the case."

In the last six years, before the Government took over the operation of the railroads, the total amount of new capital for American railroads raised by the sale of stock to the public was only $164,000,000, or an average of less than $28,000,000 a year, when the capital expenditures were averaging $400,000,000 a year.

The public market for new railroad stock vanished because of the alarming decline in net earnings, and the public put its savings into industries showing a larger margin of profit and a more certain future. A great deal of the capital invested in transportation in recent years failed to earn its cost, and this in spite of the fact that American railroad operation led the world in efficiency and economy.

The commission in 1910 very wisely said:

"It is not only a matter of justice, but in the truest public interest, that an adequate return should be allowed upon railway capital."

But the record of net operating income since that time shows (and it seems to me beyond argument) that the commission, while recognizing the necessity of an adequate return to attract new capital, failed to grant the rates needed to earn it. It was because of this that railway credit declined.

I certainly do not wish to criticize unjustly the course of the commission. I believe I have some realization of the complexity of the problems it has had to deal with and some appreciation of the earnest efforts it has made to adjust nicely the balance between the various interests involved; but, nevertheless, I would be concealing my honest convictions if I did not assert, as I have in public addresses, that the serious check to railroad development in the years preceding the war was largely due to the failure of the commission to deal boldly and courageously with this great economic question.

I know that the task of the commission has been greatly complicated by conflicting State regulation and inadequate legislation. Any form of regulation which simply gets on top of the railroads without getting under them also is so manifestly ill-balanced and unfair that it could not be expected to be adequate to the situation.

I have on numerous occasions had the opportunity to defend the Interstate Commerce Commission against unfair attacks, because of my sympathy with and, perhaps, greater understanding of the difficulties of their position. Nevertheless I feel that they, in common with the bankers, the railway executives, the shippers, politicians, and the general public have failed to grasp the factors in the equation with which they were dealing and must in some measure share the blame with the rest of us for permitting the railroad situation to drift on to the rocks of insufficient revenues, insufficient credit, and insufficient efficiency.

I very much appreciate your writing me so fully in regard to the matter, and hope that thoughtful men like yourself may be disposed to address themselves strictly to the working out of this transportation problem in the best interests of 100,000 000 people who are so dependent upon it, for, in the final analysis, that only will be in the interest of others which is in the common interest.

Yours, sincerely,

(Signed) F. H. SISSON.

INTERSTATE COMMERCE COMMISSION,
Washington, D. C., November 15, 1918.

Mr. FRANCIS H. SISSON,
Vice President Guaranty Trust Co. of New York,
New York, N. Y.

MY DEAR MR. SISSON: I am in receipt of your letter of November 13 in further response to my letter of October 15.

You say that you have studied my presentation of statistics as to the earnings of the railways, "all of which finally sift down to the return upon property investment." You state that my argument necessarily is that this return has been adequate, and then you say, "On this point, which is the crux of the whole question, we differ."

In the first place, whatever may be my views with respect to this, I did not say, nor do I think that it necessarily follows from anything I did say, that returns to all the railways of the country were adequate. What I endeavored to establish was that under regulation by the Interstate Commerce Commission there had been practically a steady, long-continued, upward tendency in the gross and net earnings of railways; that there was the same general upward trend in dividend rates on dividend-paying stock; and that the same was true of surplus accumulations. The figures I presented were not questioned by you, and could not well be questioned by anyone, because they were furnished by the railways.

I invite your attention to the following table, which gives the total railway capital stock outstanding, 1908–1916, excluding only switching and terminal companies, giving also the percentage ratio of net income to stock:

Year ended—	Stock.	Net income.	Ratio of net income to stock.
			Per cent.
June 30, 1908	$7,300,739,273	$443,986,915	6.08
June 30, 1909	7,612,411,226	441,062,745	5.79
June 30, 1910	8,010,730,010	583,191,124	7.28
June 30, 1911	8,303,275,892	547,280,771	6.54
June 30, 1912	8,552,447,276	463,126,324	5.30
June 30, 1913	8,590,992,854	544,201,074	6.33
June 30, 1914	8,654,215,242	395,631,642	4.57
June 30, 1915	8,625,319,388	354,780,729	4.11
June 30, 1916	8,749,106,639	671,398,243	7.68
Dec. 31, 1916	8,755,403,817	735,541,165	8.40

The following table gives the relation between the balance of net income, after the deduction of all dividends and sinking-fund charges charged to income of class 1 steam railroads, 1912–1917:

Year ended—	Net income above fixed charges.	Dividends and income applied to sinking and other reserve funds.	Balance.	Per cent.
June 30, 1912	$405,784,509	$345,125,171	$60,659,338	14.9
June 30, 1913	486,746,995	335,923,753	150,722,242	31.0
June 30, 1914	280,721,618	386,719,305	[1]55,997,687	.....
June 30, 1915	316,150,078	270,540,368	45,615,710	14.4
June 30, 1916	603,222,803	293,629,585	309,593,328	51.3
Dec. 31, 1916	646,880,675	321,294,292	325,586,381	50.3
Dec. 31, 1917	589,044,923	332,811,967	256,232,956	43.5

[1] Deficiency.

You will note that, except for the subnormal year 1914, there is the same tendency of increase in the percentages. These two tables, supplementing those given in my letter, further support my contention that regulation by the commission has not had a tendency, as stated by you, to reduce earnings.

If return on property investment is the crux of the whole question, as you suggest, I am inclined to think that with respect to that we do not occupy common ground. The actual investment of the railroads of the country is not known. What we have is the investment as shown by the books of the railroads. That showing, as you must know, is the maximum. Investigation has demonstrated that the actual investment is very much less than is shown by the books. As will appear later in this letter, the book investment of a number of railroads in this country is by no means a reliable basis from which to determine returns. If the book investment is to be decreased by material amounts, of course the returns will be likewise materially increased.

The following table gives the railway operating income compared with total railway capital and investment as shown by the books of class 1 railroads, 1908–1916:

Year ended—	Total railway capital.	Investment.	Railway operating income.	Return on investment.	Ratio of operating income to railway capital.
June 30, 1908	$16,198,731,489	$13,213,766,540	$645,661,895	4.89	3.99
June 30, 1909	16,992,536,340	13,609,183,515	732,642,083	5.38	4.31
June 30, 1910	17,774,426,871	14,557,810,099	826,406,756	5.68	4.65
June 30, 1911	18,437,820,946	15,012,378,845	768,213,348	4.92	4.17
June 30, 1912	18,980,345,476	16,004,744,966	751,266,806	4.69	3.96
June 30, 1913	19,028,535,973	16,588,603,109	831,343,283	5.01	4.37
June 30, 1914	19,401,080,891	17,153,785,568	705,883,489	4.12	3.64
June 30, 1915	19,719,893,944	17,437,066,000	728,212,079	4.18	3.69
June 30, 1916	19,681,193,092	17,084,736,585	1,043,839,822	5.90	5.38
Dec. 31, 1916	19,630,610,092	17,037,024,853	1,109,546,423	6.17	5.63

You will note the marked difference between capital and investment. Of course, it would be unprofitable for you and me to engage in a controversy, in which many good men have taken part, over the right of railroads to earn a return upon outstanding capital, as compared with investment. I wish, however, to again direct your attention to the continued upward tendency of the percentage of returns to support my contention that regulation by the Interstate Commerce Commission has not been productive of declining returns, as stated by you. I insist that figures furnished by the railroads themselves show exactly the opposite of your contention.

You further state in your letter:

"It appears that the validity of the repeated pleas of the carriers for living rates has been fully substantiated in the action by the Government in advancing freight rates 25 per cent, within a short time after the commission had advanced eastern rates by 15 per cent."

If you will refer to page 7 of my former letter you will note that the Director General gave reasons why it was necessary to increase freight rates, passenger fares, and baggage charges. Those reasons had not the remotest relation to anything the commission had failed to do. Conditions growing out of the war necessities were the mainspring of the action taken. I invite your attention to another statement made by the Director General when the notice of the proposed increase in rates was given to the public. It is as follows:

"In this connection it is important to make clear that no part of the increase in rates now initiated is on account of the making of additions and betterments or the purchase of new equipment or other expenditures chargeable to investment account. The increases initiated are solely on account of increased burdens tending to diminish railway operating income."

Is it not a significant fact that the leading railroads of the country are apparently perfectly willing to accept as compensation to them for their use during control by the Federal Government the average net operating income they had received under rates in effect for three years previous to July 1, 1917? Am I not fully justified if I take an appeal from your statements and deductions to the railroads themselves?

In your letter you make the following statement:

"In the last six years before the Government took over the operation of the railroads the total amount of new capital for American railroads raised by the sale of stock was only $164,000,000, or an average of about $28,000,000 a year, when capital expenditures were averaging $400,000,000 a year."

The authority for the figures you give is not stated. From reports to the commission by the carriers it is estimated that approximately $392,000,000 of new stock was issued for the five and one-half years from June 30, 1911, or about $71,000,000 a year. Our records show that approximately $400,000,000 a year was expended on capital account during the period. Of this amount approximately $190,000,000 a year was expended from earnings. A comparable amount has been expended from earnings for a great many years.

Turning now to property investment as the basis for returns, we face a very important controversy, about which I express no opinion, as to whether capital investment from earnings should be included when a return is to be calculated on the operation of a public utility. I leave the matter at this point with the suggestion that a determination of that controversy may have an important bearing on the question of the adequacy of the net returns to the carriers of the country.

You further state that:

"I would be concealing my honest convictions if I did not assert, as I have in public addresses, that the serious check to railroad development in the years preceding the war was largely due to the failure of the commission to deal boldly and courageously with this great economic question."

From this I understand that you still adhere to the severe condemnation of the commission you made in the public addresses to which I referred in my previous letter. You do state that on numerous occasions you had the opportunity to defend the Interstate Commerce Commission against unfair attacks, because of your "sympathy with and, perhaps, greater understanding of the difficulties of their position." It has never been my good fortune until now to hear of any such defense. What I do know is that you publicly held the commission largely responsible for the failure of the transportation systems of the country to stand the strain of war conditions, and that in your letter to me you attempt to substantiate statements you have made, and reannounce conviction of their truth.

I have a conviction that the decline of railroad credit in this country and abroad is due to other causes than regulation of freight rates, pas-

senger fares, and other charges by the commission. While it may make this letter somewhat long, I feel I am fully justified in referring to certain other facts which, to my mind, had a controlling influence on the decline of railway credit.

The figures I have given establish that if anything was the matter with the railroads from 1910 to 1917, so far as their credit was concerned, it is to be found from other causes than earnings.

I first call your attention to the situation in 1911, when the first rate-advance cases were decided by the commission. In Advances in Rates—Eastern Case (20 I. C. C., 243, 251), the commission said:

"We are told this increase in rates is necessary to maintain the credit of our railroads, and this claim has been made by high authority and with much insistence. It is said that our railroads owe at the present time large sums, which are being carried upon short-time paper, and which should be converted into funded indebtedness; that other large sums must be had in the immediate future for necessary extensions and improvements; that the money for these purposes should come largely from foreign investors, since the rate of interest in England and upon the Continent is lower than with us, but that at the present time there is, owing to the treatment of our railroads by the Nation and by the various States, a feeling of distrust which has impaired the selling qualities of their securities, and which should be removed by a decision of this case in their favor. * * * It must be conceded, therefore, that railway rates and the treatment of our railways should be such as will make the long-time railway bond, which bears a proper relation to the value of the security, a favorite with the investing public. This record does not disclose that railway credit has been impaired. * * * Comparisons that have been introduced between the selling price of the railroad bonds and municipal bonds would seem to demonstrate that the price of the railroad bond is better to-day, as measured by the price of the municipal bond, than it was 10 years ago, and this would indicate that in the last decade the credit of our railways had gained, not lost. * * *

"As to conditions abroad, no reliable information is before us. Whatever unfavorable impression prevails is due largely to the activities of the railroads themselves. Never before have the net earnings of the railroads equaled those for 1910, estimated on any basis. Never before has the gross amount paid in dividends been so large, nor the average dividend rate as high, as in the year 1910; and yet, in the face of this unparalleled prosperity, the press both at home and abroad has been filled, through railroad influences, with dire forebodings of coming disaster. If the credit of American railways is still sound, either here or in foreign money markets, it is not because of but in spite of declarations of railroad operators."

At that time there was no decline of railway earnings, nor was there any decline in prospect. It may have been a fact that there was somewhat of a decline in the demand for railway securities at home and abroad. Such decline, however, was caused by certain matters that had no relation whatever to earnings.

In 1906 the Congress passed an amendment to the act to regulate commerce which greatly enlarged the powers of the commission and increased penalties for disobedience of its orders. Soon after the passage of the act many of the leading railroads of the country came voluntarily to the commission and asked that the slate upon which was written their sins of omission and commission be washed clean, and they stated in that connection that in the future they would endeavor to obey the law in good faith.

In that year the commission instituted an investigation entitled "In the matter of consolidations and combinations of carriers, relations between such carriers, and community of interests therein, their rates, facilities, and practices." The first report was made July 11, 1907 (12 I. C. C., 277). The investigation conducted to that time related mainly to certain transactions of the Union Pacific Railroad Co., including the acquisition of control of the Southern Pacific Co., the purchase of large amounts of stock of various railroad companies, and other matters of kindred import. In the report a most astounding situation with respect to stock purchases and manipulation was disclosed. It is sufficient here to refer only to the Chicago & Alton Railway Co. In the report, at page 296, is the following in regard to that company:

"In about seven years, to June 30, 1906, the outstanding capital indebtedness of this company was expanded from $33,951,407 to $114,610,937, or an increase of about $80,660,000, and there was expended in actual improvements and additions to the property out of this capitalisation only about $18,000,000, leaving an increase of its stock and liabilities, without one dollar of consideration, of about $62,660,000, or $66,190 per mile on the 946.66 miles of road owned by the company on June 30, 1906."

On May 6, 1912, an investigation of New England railroads was undertaken, and a report was made on June 20, 1912 (27 I. C. C., 560). The report refers largely to the New York, New Haven & Hartford and the Boston & Maine. It is not necessary here to refer to but one paragraph in the report, at page 578:

"June 30, 1903, the total capitalization of the New Haven Co. was approximately $93,000,000, of which $79,000,000 was stock and $14,000,000 bonds. The mileage then operated was 2,040 miles. On June 30, 1912, the capitalization, excluding stock premiums, was $417,000,000, an increase of $324,000,000, while the operated mileage was 2,090, an increase of 50 miles.

"The bonds and stock of the New Haven Co. had been during this period ordinarily issued at not less than par; the stock was sold at considerably above par. About $21,000,000 of the stock reported by the New Haven Co. as outstanding had been, in fact, issued to the New England Navigation Co., one of its subsidiary companies, by which it was held, so that this stock is still virtually in the treasury of the parent company. Disregarding this stock, treating its notes and bonds as issued at par, and including the premiums upon the capital stock which has actually gone into the hands of the public, the New Haven received during the nine years under consideration from the issue of stocks and securities about $340,000,000. While the New Haven operated 2,040 miles in 1903, it only owned of this operated mileage 438 miles. During the nine years this owned mileage was increased by about 800 miles, and the New Haven Co. expended approximately $40,000,000 in acquiring this additional-owned mileage. It expended during the nine years something over $96,000,000 upon its railroad for betterments and equipment, making a total of $136,000,000 devoted to its railroad property proper. This would leave the sum of $204,000,000 which in nine years had been expended outside its railroad sphere."

In response to a resolution of the Senate of the United States dated February 7, 1914, the commission entered upon a further investigation into the financial transactions of the New York, New Haven & Hartford Railroad Co. (Financial investigation of the New York, New Haven & Hartford Railroad Co., 31 I. C. C., 34.) In the report the commission gave in detail the disastrous results to the railroad from shameless financial operations.

Reports were made by the commission in the St. Louis & San Francisco investigation (29 I. C. C., 139), Chicago, Rock Island & Pacific (36 I. C. C., 43), Cincinnati, Hamilton & Dayton and Pere Marquette (44 I. C. C., 1), and Wabash Pittsburgh Terminal (48 I. C. C., 96).

In other proceedings such matters as the purchase of an interest in the Cincinnati, Hamilton & Dayton Railroad by the Baltimore & Ohio, and the distribution to stockholders of $20,000,000 by the Louisville & Nashville, as examples of many others of like character, were brought to public notice.

These reports disclosed indefensible financiering which resulted in the serious embarrassment of some fine railroad properties. It was shown that certain financial interests, when so minded, freely used carrier organizations for exploitation to any extent necessary to accomplish desired ends. Many of these matters were found by the commission when its accountants came to examine carriers' books under the power conferred by the amendment to the act of 1906.

Shortly after the passage of that amendment the commission recommended to Congress that its jurisdiction be extended to control over and supervision of railway capitalization. This recommendation has been repeated year after year, but Congress has not granted the extension of power.

The increased rates carriers asked for in 1910, 1915, and 1916 would not have had the effect of restoring public confidence in the financial management of the railroads of the country. Conservatively and honestly managed roads suffered with those that had been financially mismanaged. Those who had money to invest lost confidence in the railroad financial management. It came to be generally known that the men nominally in control of many of the roads, and who were capable of handling the properties so as to render the best service to enlarge terminals and to secure facilities for a rapidly growing business, could not act in a free-handed manner. Those who owned or controlled large blocks of stock or other securities were really running the roads. Surplus earnings were largely expended in accordance with their dictation. They knew nothing about, or at least were not specially interested in, transportation requirements of the public. When the time came, as it was bound to come, that the operation of the roads under such conditions failed to meet the demands of the expanding commerce of the country, they found it necessary to lay the blame somewhere, and singled out the Interstate Commerce Commission. As has been shown, that body was not even remotely responsible for any of the financial difficulties in which the transportation systems found themselves.

During the years when their earnings were at the highest point carriers' representatives were informing shippers who desired better service and more facilities that it was impossible for railroads to buy more engines and cars or to enlarge their terminal facilities because the commission refused to allow them to increase their rates. Newspapers took the matter up; magazine articles were inspired; speeches were made at business men's associations; and the propaganda was so general that many people came to believe what was said.

For example, the president of one of the leading banks of the country said in a speech in 1914:

"The most important entry we would make on the debit side of the business outlook would be in connection with the operation and financing of the railroads. In spite of an easy money market, many railroads find it impossible to refund their short-time obligations and continue to keep going—like a juggler playing with balls—by rapidly and dexterously throwing a new short-term obligation into the market to take the place of another short-term obligation maturing. Higher expenses, increased wages, taxes that have doubled in a decade, the burden of new terminals, and the demand for improved service have all had to be met by the railroads, while there has been withheld from them permission to increase their income. The investor now hesitates to consider a long-term railroad security as the safest form of investment for his fund."

On November 18, 1917, he also said:

"We have already conscripted the railroads and are paying them a rate they can not live on. The inevitable result is already apparent—they are inefficient, rendering unsatisfactory service to both Government and the public."

In many addresses made by yourself you took the same position, and you made the statements in 1918, to which I referred in my letter.

The president of one of the leading railroads said, in February, 1917:

"* * * But here the heavy hand of regulation has been laid upon the railroads, and the utter lack of elasticity in rates makes it impossible for them to do as other business institutions do."

On January 9, 1912, the president of a great western railroad, in speaking of the decision of the commission in 1911, said:

"The hardest part of the ruling was not so much in what the advance in rates asked for meant to the railroads, as it was in the intimation the decision conveyed that the railroads were getting as high rates as they would be allowed to charge, and that it would be useless to ask for an advance in any line."

Another prominent railroad president in a hearing before the commission declared that he would not advise a friend of his to purchase railroad securities of any kind. Still another prominent railroad president in a like hearing stated that the railroads and railroad securities "had all gone to the d——l."

Other quotations from statements of bankers, brokers, financiers, and railroad officials, from editorials appearing in daily papers and magazines, of which our records are full, might be made to any length. The quotations made are sufficient to show the general trend of public announcement by those best circumstanced to know the facts.

The most discouraging statements as to the waning credit of the railroads from 1911 to the spring of 1917 have been made by their officials and those interested in them financially. Nothing the commission has ever said or done warranted such view of the situation. Is it any wonder the credit of the railroads was impaired? Under such circumstances the result could not have been otherwise.

It seems to me that in consideration of what you think the commission ought to have done you have lost sight of what that body could have done under the limitations prescribed in the regulatory statute. No member of the commission has ever taken the position that the railroads of the country are not entitled to adequate returns for service performed. The commission has endeavored to be just to all interests involved in the movement of traffic throughout the country. My object in writing you was to show you, if I could, that when you held the commission largely responsible for all the ills to which the railroads are now subject you were not justified under the facts.

The Nation faces stupendous problems of reconstruction in the immediate future. A burden of responsibility rests upon us all to see

to it that as a result of the world war there shall come a greater Nation and a happier people. Neither consummation can be attained unless all thoughtful men shall accept truth and justice as guides for action. I agree with you that recriminations of old mistakes and abuses, in such connection, can avail naught of good.

It is only with a long pull and a strong pull and a pull all together by men devoted to the country's best interests that a sound future can be assured. This includes as one of the main considerations the fair and just treatment of our transportation systems.

Very truly, yours,

C. C. McCHORD.

How Shall We Operate Our Merchant Marine and Railways?

EXTENSION OF REMARKS

OF

HON. SIMEON D. FESS,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 11, 1919.

Mr. FESS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address I delivered before the Republican Club of New York City, January 4, 1919, on the railroad problem.

The address is as follows:

"Mr. President and gentlemen of the Republican Club, you have honored me by your invitation to participate in the discussion of a reconstruction program. In what I shall say it must be understood as my individual opinion and not as a party decision.

"There has been running through the press of the country criticism of the Republican Party for not announcing a reconstruction program. It will not be out of order for me to remind the members of this club that the Sixty-sixth Congress is not yet in existence. It has of itself no constitutional power of convention. The President can call it in session at any time after the 4th of March next. If he decides not to do so, it will be nonexistent until December, 1919. Until it can come together and organize, no official announcement, nor any step can be taken on a program of reconstruction. I have no way of knowing whether the President regards reconstruction as an executive or legislative function, or both executive and legislative.

"If, like Andrew Johnson, he regards it as executive, he will proceed on the one-man policy to solve the reconstruction questions, and of course we will be left to wait the constitutional date of meeting.

"Whatever be his views on this matter, I am quite clear in my own mind that the Legislature must be considered in the solution, and it should be in session at work on such as the merchant marine and railway problems, both of which are imminent.

"The present Congress has but two months left to provide for the stupendous appropriations which last year were not passed until late in August. It is simply impossible to do any creative constructive work, such as railway legislation, this session before the Democratic Congress dies. Of course, if we are to pass a mere resolution continuing Government operation for five years, in line with Mr. McAdoo's recommendation, it might be done. I give it to you as my sincere opinion that such a resolution can not be passed, even by this Democratic Congress. If the President wishes an early solution of this rail problem, the one thing that would seem necessary is to call the Sixty-sixth Congress in session, and the solution will be worked out without undue delay.

"Mr. Chairman, our first duty, as I see it, is to unshackle business enterprise by removing all unnecessary governmental hindrances inaugurated in the stress of war. Let the Government encourage rather than retard profitable employment of labor in established industries and in the development of new enterprises. Instead of the Government entering into competition with private enterprise by becoming the chief employer of labor, let it open wide the door of opportunity for profitable business in the investment of capital so as to insure the steady employment of labor on an American wage scale. Such a policy looks to both a domestic and a foreign field of commerce.

"It demands our position on the sea as a merchant-marine power. Heretofore we have neglected this vastly important national arm.

"The necessities of war compelled the construction of sea-carrying facilities to carry to Europe our ability to win the war, and which will serve as the basis for a great merchant marine. It is asserted we have available over 8,000,000 tonnage already. The one great question now is, How shall we operate this agency of commerce? All the world knows the problems of competition on the high seas with Governments which employ the pinnacle of subsidy and low scale of wages. I can not become enthusiastic over the claim that we can by our more efficient methods compete with Japan and other countries of low wages. Will we meet this competition by lowering our conditions of labor and scale of wages to theirs? I think not. The fundamental contention of the Republican Party with the Democratic Party is the protection of American labor against European and Asiatic labor.

"Can we induce them to come to our standards? Hardly. It is their method employed to insure the trade in foreign bottoms which will not be modified in the interest of American bottoms and at the expense of their own shipping.

"Can we compete with them by maintaining our higher costs of operation? I fear not. In the matter of operating ships mere skill can not make up the difference of standards of labor.

"I take it that the first thing for the Government to do is to decide upon a policy which will leave no doubt of our determination to stay on the sea and thus become an increasingly important factor in the carrying of our sea-borne trade. We will certainly refuse to return to the policy of employing our competitors to carry our goods.

"There are three ways open and, as I see it, only three: First, the Government may continue to own and operate the merchant marine as a Government institution. It could establish competitive rates so as to insure the trade carried in American bottoms and at the same time permit the cost of operation necessitated by the higher scale of wages, and charge up the difference in cost which would go to labor to the Treasury. Of course, this is a subsidy, although not so named. It becomes a direct charge on the Federal Treasury to maintain an American wage scale.

"Second, we can lease the ships to steam companies—not foreign, but American—on such terms as to permit if not require the maintenance of the higher standards of labor, such requirements guaranteed by the Government by an obligation to pay out of the Treasury the difference in cost of operation. This is also a subsidy, which, instead of going directly to labor from the Government as labor's employer, goes indirectly to labor through the ship companies, the Government's lessees operating the ships under Government contract.

"Third, we can sell the ships outright to American citizens or American companies upon such terms as can be agreed upon to be run under Government regulation providing for the maintenance of American standards, the difference in the cost of operation here as in the two former cases to be fixed and paid out of the National Treasury.

"The word 'subsidy' has an unsavory sound. It has become identified in the public mind with special and unnecessary favoritism on behalf of capital, and has not infrequently been looked upon as unfair to labor. This is an error. There would be no necessity for subsidy were it not to permit the maintenance of a higher scale of wages.

"We believe in American standards which argue for reasonable hours, sanitary conditions, good pay, and steady employment. To insure these labor advantages in competition with countries which do not employ them we must provide for this difference in cost—subsidize the industry.

"The first method mentioned is neither economical nor efficient. If the Government operates the ships, the cost will always be indefinite and the waste will be inexcusable, as is demonstrated upon every hand.

"The second method, that of the Government operating as the lessor, we still make the Government the responsible body as the title holder, and on whom the appeals will be made. However, I think the second plan is to be preferred to the first.

"But the third, where the Government places the responsibility upon the owner, who will have incentives to successfully operate his properties under such regulation of the Government as to insure the maintenance of American standards, is the most feasible plan. The sum to be paid as a subsidy will be fixed rather than indeterminate, as in the former case, and the real status of the outlay will always be known.

"Whether we choose first, second, or third plan it will be a subsidy. In the first place, it will be very much greater than in the last.

"Subsidies are unpopular, but we must face the alternative of providing this method or see our American bottoms driven from the seas. There is no surer result than this alternative. Believing it to be assured that we will stay on the sea, it remains to be decided which plan we shall adopt. In the interest of economy and efficiency, both of which the public will be willing to pay for, I hope we will adopt the latter.

"I will not now speak of a general program of reconstruction, but at this moment will deal with but one other of the great and imminent problems the war has brought, the railway problem.

"When the war came, notwithstanding the fact we had the finest railway system of all the world, operated on the least expense, giving the most efficient service, it was quite apparent the maximum utility of the rail facilities could not be realized. The one demand was the most complete mobilization of all our energy for a speedy winning of the war. Here was the greatest mileage of roads on the globe, so splendidly located as to answer the needs of transportation. The only item wanting was the authority to utilize the full capacity of the roads. This was lacking owing to the limitations of law best known under the Sherman Act and the interstate-commerce rulings.

"During the period of rail development prior to the nineties the railway management had been guilty of many practices growing out of competition, and later attempted to combine, and in many cases did combine, in their own interests and against public policy. The companies simply demonstrated the well-known industrial axiom, 'Where combination is possible competition is impossible.' On the one hand, combination in restraint of trade as was charged called forth the Sherman anti-trust law. On the other, competition which invited the rebate system called out the power of fixing rates and regulating securities by the Interstate Commerce Commission.

"The Sherman law designed to protect the public clearly prevents the maximum utilization of the roads, which can only be realized by regarding them as one system. When the war came and the most complete use of these facilities was necessary, the one thing demanded was forbidden by the law. To repeal the laws of limitation was impossible under the stress of public opinion, which was pronounced and against combination. The only thing we could do was to ignore the laws by taking over the roads to be operated by the Government. In other words, the Government in order to correct results of its own decrees had to become the operator so as to ignore the decrees.

"There is no doubt that had the Government repealed the law of limitation and permitted the owners to do what the Government had to do, much more successful results all around would have been realized; but since this could not have been done, it is useless speculation to urge that fact, and the contention adds nothing to the solution of the problem.

"So much in explanation of the action of the Government in taking over the roads.

"It will be recalled that Congress after a very heated debate fixed the time beyond which this ownership can not go, viz, 21 months after the signing of the treaty of peace. However, the President can, if he chooses, turn the roads back to the owners at any time. It will be noted the legal limitation is not in turning the roads back, but rather in continuing Government operation beyond a certain time. If Director General McAdoo's recommendation should be adopted, to continue Government operation five years, it will mean new legislation.

"Were it not for the statement of the President in his address to Congress before he left for Europe that he had no solution of the railway problem and would welcome counsel with Congress to reach one, the country would doubtless take the Director General's recommendation to be the President's; first, because it is given out that the recommendation meets the approval of the President, and, second, the President indicated in specific terms that unless Congress did find a solution he would exercise his authority to turn the roads back to their owners without undue delay, which must be interpreted that he would not await the 21 months' limitation, but would act soon.

"This situation immediately presents a serious phase. It is one thing to express an opinion but an entirely different thing to embody that opinion into law. The former is comparatively harmless, the latter is vitally important. As a legislator I am not so much concerned about the former, but deeply in earnest over the latter.

"What should be done with the roads? This question the legislator must answer by his vote.

"The two extremes are, first, absolute private ownership and operation, and, secondly, absolute Government ownership and operation.

"My own judgment fearlessly expressed is, the former is now impossible and the latter is unwise.

"The roads can not be turned back to their owners and operated successfully under the limitations of law as it now stands. The owners know that as well or better than anyone else. The Sherman law compels competition when every consideration of economy and efficiency argues concentration. This law prevents not only maximum service but entails such limitations as to forbid maximum economy as well as efficiency. In addition, laws like the Adamson bill of August, 1916, deny the owners the right of contract to fix the scale of wages they must pay for operation by passing over to Congress, a political body, that power without regard to the contract existing between employer and employee. This virtually takes from the responsible party to the contract the right to determine the cost of operation of his property. While this law was passed to prevent a strike, it was held to be constitutional, which in effect took from the contracting party the right to fix the amount of his obligation; in other words, the cost of operation.

"On the other hand, the Interstate Commerce Commission, exercising its power, denies the obligor to the contract the right to fix the rate of transportation, which is the only source of income out of which must be paid the expense of operation.

"In this way one governmental body, and a political body at that, fixes the outlay and another governmental body, quite readily responsive to political influence, fixes the income, and the owners are left to pay the bills as best they can. The properties must inevitably deteriorate under such handicap and securities must inevitably depreciate. Needed improvements must be necessarily deferred and repairs neglected. Hence, instead of the world's greatest railway system growing with the needs of the rapidly growing country we see depleted roadbeds, deteriorated rolling stock, disintegrated morale, indifferent service, and some phases of disorganization of transportation of such character as best expressed in a breakdown of a service which was once pronounced the most efficient in the world.

"The public mind can not be brought to a repeal of these restrictive laws unless some other safeguards are thrown about the operation on behalf of the public.

"I take it that the laws, hurtful as they are, must stand until superseded by others; hence it is folly to talk about turning the roads back to the owners, as before the war.

"Since they have been taken over the operating expenses have been increased amazingly, partly because the treasury which supplies the money is looked upon as inexhaustible, being the National Treasury, and partly to attempt to rectify inequalities of the Adamson law. Some of these expenses will most likely remain. They will probably be readjusted. The country witnesses the business spectacle of seeing the largest freight and passenger traffic in the history of transportation; the highest rates paid by the public for that traffic; in a word, the greatest income of the business, because of the increased cost to the public and the increased volume of business, with a deficit of at least $200,000,000 to be cared for out of the National Treasury.

"With these facts in plain view, it is absolutely nonsense to talk of private ownership under the existing legal limitations successfully operating the roads.

"What about Government ownership and operation? I am very frank to say I am not satisfied with this proposed remedy, and I will indicate my reasons. I do not oppose it on the ground that the Government has no right in the premises.

"The public has an interest in transportation, for which the roads exist. They can no longer be looked upon as property privately owned, to be operated purely for the profit of the owners without regard to the rights of the public. Hence the public has an inherent right to demand service. Its chief interest is service economically and efficiently rendered. By the first I mean freedom from waste or exorbitant charge through extravagance or other forms of waste. By the latter I mean accommodation, convenience of travel, courtesy in dealing, expedition in execution, accuracy, and security of service against losses, so as to become reliable to the extent that all transportation business can safely be dependable. These items are what the public pays for and has a right to demand. They serve as the basis for the right of public regulation or control, or both.

"As to economy, of course, no man of judgment will say the Government is ever economical. It is the most wasteful and slovenly extravagant in its business operations known to the business world.

"While Government work is usually done on a contract basis, no one pretends to hold the Government to the terms of its contracts, either in time of completion of the work or in the amount to be paid for it. If more time is needed, it is granted. If more money is required, Congress is appealed to and votes the increase without batting an eye.

"A private contract usually fixes the time with a forfeiture penalty, and always fixes the amount to be paid. But a Government contract may name the sum as a matter of form, and when it is exhausted and Congress is asked for an additional appropriation it is granted as a matter of course upon the ground that it is the Government doing its own work and should not be exacting in its demands.

"We hear it on every hand: 'Why not grant it; who will be hurt? Uncle Sam is paying the bills; he won't feel it.'

"This sense of an easy responsibility is displayed upon every hand, where the Government is a party to the contract. Just now, Members of Congress and the public are exercised over the report of the Hog Island investigation, which shows that the contract price, at first fixed at $21,000,000, then raised to $27,000,000, will reach $61,000,000. Here is a discrepancy of $34,000,000 or, expressed in per cent, an outlay which is 300 per cent over the contract price.

"The enormity is not in the fact of this discrepancy but in the ease with which the public will at once dismiss it with the excuse that it is for the Government and why complain. If the outlay was made, it put the money in circulation, we are told. This lack of the sense of economy which naturally and inevitably excuses wastefulness which under private contract would lead to immediate prosecution, is the one outstanding indictment against Government ownership and operation where it can be done through private enterprise. The present rail deficit, in spite of the unusual increase in freight and passenger rates, is only an item to be expected and, of course, repeated so long as the Government operates these utilities. Only recently the Postmaster General recommended $2,185,000 appropriation to purchase aeroplanes for mail service, at the time the country had numerous planes in its possession with no particular use for them. The only explanation forthcoming was: First, the planes already built were not so adaptable for mail purposes, and, secondly, it would cause some confusion between the War Department and the Post Office Department if the planes ordered by the Government for the War Department were used by the Post Office Department. While the House refused the appropriation, after Maj. LAGUARDIA refuted the first ground, it shows the ease with which departments ask for public funds, upon the basis our Treasury is inexhaustible. The significance lies not in the needs and possibilities of the air mail service but the lack of a sense of economy in Government work which would permit a department head to ask for over $2,000,000 for aeroplanes when the Government had hundreds of them already without other use for them and, according to a practical flier, well adapted for mail use. It is a suggestion of the economy we may expect in the various new utilities of telegraph, cable, and phone lines taken over by this department, which, bad as it is, doubtless is no worse than many other Government departments.

"Now, as to the efficiency of Government operation. It may be unfair, I am free to admit, to judge future efficiency by what the traveling and shipping public have had to experience since Government operation has been in vogue. It will not be disputed that the traveling public has never been so shabbily treated. Such qualities of service as accommodation, courteous treatment, expedition in sale of tickets, handling of baggage, and care of travel are lost arts. The present system is intolerable, with little hope of correction so long as Government operation continues. Whose fault it is is not the question. No one feels responsible. The absence of any personal responsibility is best displayed by the general attitude on all sides apparent and expressed in the statement, 'It is the Government that runs the roads, and we are the Government.' If a shipment is lost or articles are stolen, who is it that feels responsible for the loss and who will trace the goods? To inquiries the invariable answer comes, 'We do not know,' with an air that 'We do not care.' If the case is reported, to whom will the report be made, and what greater interest will be found when report is made?

"The air of 'the Government is doing it and we are the Government' is displayed on all hands. The readiness with which our Government avoids responsibility by shunting it to the employers increases this air of popular ownership and 'if you do not like it make the most of it' spirit so prevalent to-day.

"The servility of the Government in the railway brotherhood demand for 20 per cent increase in 1916 has not only increased this spirit of public disregard but has induced a pronounced sentiment for Government ownership among labor circles.

"That event clearly convinced labor leaders that politicians can be more easily dealt with than employers.

"This item introduces the greatest objection to Government ownership and operation. When applied to the railway business it makes possible a political influence the power of which can not be fully understood.

"The 2,000,000 employees represent at least 5,000,000 people; if we include all the people affiliated with the roads, they will reach at least 20,000,000 people, or about one-fifth of our total population. Such interests, if concentrated, could determine any policy they might set out to make. This danger is too apparent to need any comment.

"Take it all in all, I am hopeful we may find a way to retain the private initiative in industry, not only for the basis of rational progress but also for the public good through economy and efficiency, the real basis of prosperity.

"There is now and then heard a proposal of public ownership and private operation; that is, let the Government own the roads, but operate them through companies to whom the roads are leased upon contract. I am not able to indorse this plan as workable.

"My own opinion is that neither complete private ownership nor Government ownership is the wise way. Both of these methods have some virtues. We must find a way which will include the good of the two but avoid the dangers of both. This is the problem. Under Government operation the single-system idea, with common terminals, union ticket offices, employment of short hauls, no matter over which line the traffic goes, are all valuable changes inaugurated by Government operation, which in the interest of the public should be retained. These changes might have been made under private ownership had the laws permitted them.

"Consequently our legislation should permit the roads to pool their properties. This would necessitate amendment, if not repeal, of the Sherman law so far as it applies to the right of the railways to combine into one system under governmental control. The growing demands upon transportation with the tremendous growth of the country will demand new developments of rail facilities, which will entail great outlay of money. It is stated that these betterments demand billions of dollars. This will demand ready market for rail securities. This market will depend upon the prospect of the railway enterprise as a successful business. On the one hand, the properties must be secure for the sake of security holders, and, on the other hand, the public must be secured against fictitious values in watered stock. Hence the Government must be allowed to regulate the issuance of securities and at the same time permit such profit to security holders as to secure a ready market for the bonds. These are simple business principles. It has been suggested that under regulation the holder might be guaranteed a fixed profit of, say, 5 to 7 per cent on his securities. The regulatory feature necessitates Government supervision of some sort to guarantee needed improvements to meet the needs of transportation, without injury to the public either by fictitious values in watered stock or undue charges on the public in the rates of traffic.

"To do this there must be recognized a governmental regulatory function, but it must not reach strangulation, as in the case of some of the rulings of the Interstate Commerce Commission prior to the war. One principle is clear.

"There must be guaranteed by law that the power which fixes the expense of operation must also have authority to fix the income to insure that the two will have a definite business relation. Congress can not fix the outgo by determining the cost of operation and the Interstate Commerce Commission the income from rates. These matters must be left to the business administration, not to political bodies such as Congress or even a commission too responsive to the whims of politicians.

"The roads must not be made the football of politics. Where the roads broke down before was not because of private ownerships so much as through mistakes in Government regulation. On behalf of the public the matter of operating expenses became a political issue, in which contractual relations were not regarded. This must be avoided.

"The most feasible way to secure the importance of private ownership and also Government operation without embracing the dangers incident to both would be private ownership under Government control. This is the order of the day in the industrial world. It is frequently worded 'concentration and control.' The business trend is concentration, and it should be permitted if under proper control.

"This will permit the roads to be returned to the owners, to be operated under rigid governmental control.

"It would necessitate the right of combination of the systems into one or into regional systems, to be operated as a single system. This would demand the virtual repeal of the Sherman law so far as it refers to railways.

"It would also necessitate a national railway administration board, appointed by the President, by and with the advice and consent of the Senate, to have supervision over transportation in manner like the Federal Reserve Board has over the banking enterprise. The great extent of the American railway field and the wide diversity of interests will necessitate local or regional boards. These regional boards should be articulated with the national board, so as to insure the maximum service demanded by localities. The salary should be enough to invite the country's best talents in the railway world. The tenure

should prevent the possibility of the board becoming a partisan body.

"These regional divisions need not be geographical, but rather industrial, to follow the lines of traffic, which would be fairly well marked by the great trunk systems, which were built up on routes connecting great centers of industry.

"The function of the national administration board would supersede the Interstate Commerce Commission, which in that case can be abolished or absorbed without loss to the country of the body of information built up by this commission.

"This scheme would preserve to the system the assurance of economic and efficient service by the stimulus of a profitable enterprise conducted by the owner of the property whose every inducement would be the best and cheapest service and at the same time insure the public against a predatory interest by permitting Government control on behalf of the public against any undue advantage for private gain. It would also guarantee needed improvements and betterments by a ready market for securities of a system permitted under the law to operate on a safe profit. Security holders would have the best guaranty of safe investment of their earnings. The cost to the public would be determined by the cost of operation, both items of which are in the same authority under regulation of the Government. It would at once remove the business from partisan politics as far as a public utility can be divorced from its pernicious intermeddling.

"To make the scheme workable, the most specific way would be to require the roads to incorporate under the authority of the Nation. This would exempt them from State control in the degree that they were interstate in character. While this will provoke some opposition, there should be a way to meet the State objection. If the railway business is to be national, as it surely long ago became, the larger and general interests must prevail over the local and State interests.

"The owners must relinquish the claims that the roads are private property and as such will be run for the profit of the owner. That stage is long past.

"The brotherhoods, and those connected with them, must also relinquish the claim that the roads are run chiefly to employ men at good wages. Both of these parties must concede. Their interests must not be antagonistic; they must be cooperative.

"The roads, although privately owned, with profit as the chief incentive of the ownership from the employer's standpoint, and run by union labor with high wages as the chief incentive from the employee's standpoint, are and must be considered in the light of public interest. The public or third party in the deal must not only be considered, but will in the end become the chief factor in the determination of the policy. This feature alone gives Congress the right to pass rail legislation.

"This feature also justifies the Government in finding a way to adjust the differences between the employer and employee when they can not agree among themselves.

"While the Government may not wish to become a party to either side of the dispute, it must see to it that the roads shall continue to render service. Lockouts and strikes should be obviated. Compulsory arbitration is not a popular remedy; however, it is urged as a last resort rather than permit injury to the public.

"The conciliation method by a governmental board is growing in favor. If this is resorted to it should be made legal, and great care must be exercised in the composition of the board so as to insure the square deal for all parties.

"While the Government is concerned in maintaining the rights of property and should see to it that these rights are inviolable, and also concerned in the welfare of the man who toils and should see to it that his rights are inviolable, yet its larger function is to see to it that the rights of the public are respected. This is the real function of government. It should not engage as a competitor of business when it can be done by the citizens. It should have its chief concern in its ability to keep open to the citizen of the Republic an equal opportunity to make the most out of his talents, be he employer or employee.

"Open the way to the citizen. That means individual initiative, which spells progress. Avoid interference except where it is necessary to do so in order to keep open the door of opportunity or on behalf of the public. Regulation becomes necessary, but it must not be tantamount to strangulation.

"These conditions are based upon the assumption that we will continue our present system of representative democracy—a Republic.

"It is perfectly apparent that Government ownership of railroads is quite consistent with an autocracy like the former German system, where the State counts for everything and the people for nothing. Even in the case of German Government-owned roads, the service could not match in efficiency our system.

"On the other hand, if we are ready to accept the socialist program and thus eliminate private ownership and individual initiative in order to socialize all industry, Government ownership and operation of the roads is the normal thing to do. This policy is consistent with both autocracy and socialism.

"But if we mean to maintain our system of government we will respect the element of private ownership, individual initiative, and personal responsibility in the interest of progress and economic efficiency by permitting concentration, over which in the interest of the public at large we must exercise a rigid Government control. It seems to me the solution of the railway problem lies in this direction."

The $100,000,000 Food Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM J. GRAHAM,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919.

Mr. GRAHAM of Illinois. Mr. Speaker, under the leave granted to me I desire to briefly state my views on House bill 13708, the bill to appropriate $100,000,000 to be expended for food for certain populations in Europe. I was ill and confined in a hospital at the time this bill was under consideration and was passed, and hence was not able to state my views upon the measure upon the floor or cast a vote upon the bill, as I had hoped to do.

The bill proposes to give to the President $100,000,000, which he may expend, as he sees fit, for the "transportation, distribution, and administration" of foodstuffs and other urgent supplies to such populations, outside of Germany, as he may select. It further provides that the Governments of the peoples to whom these funds are contributed shall reimburse it "so far as possible."

I have read the hearings and the arguments made in the House on this bill. Practically the only reason for the introduction of this measure and the only reason given for its passage is the communication of the President of the United States, sent by cablegram January 2, and incorporated into the hearings. In this message the President says, in effect, that investigation of the food situations in certain parts of Europe shows that starvation will occur there during the coming winter; he says that there are areas through Austria, Turkey, Poland, and Russia and elsewhere where the people must be fed and will require "our every assistance." He further states that the situation is one of extreme urgency and that he must have an appropriation of $100,000,000 within the next 15 or 30 days to relieve it, to be expended by him where he thinks it necessary.

There is no other reason given for this appropriation except the additional reason given by Mr. W. A. Glasgow, of the United States Food Administration, who stated, at the hearing:

> We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe, with due regard to protecting our own population, by holding control over the export of them.

In the debate on the bill the chairman of the committee was repeatedly asked whether any other nation was to contribute to this fund. It was stated that the other principal nations would do so and were doing so. However, no one knew—not even the chairman of the committee—how much or to what extent any other nation was to bear this burden, or any part of it. The President has not taken anyone into his confidence as to that matter. An amendment to make this contribution contingent on other nations bearing their part of the burden was rejected by the proponents and those favoring this bill, the argument being that the President could be safely trusted to expend the money judiciously. But the question in my mind is whether Congress is justified in delegating to the Chief Executive the duty of expending the funds in the Treasury of the country. If I am not mistaken that is the function of the legislative branch of the Government. The President, of course, will not expend the fund personally—that will be done by Mr. Hoover. Where he will spend it or how, the President does not inform us. Whether we shall pay more than our just proportion, or what

our just proportion is, the President does not tell us. He tells us nothing except that he thinks it is necessary. This is not sufficient to satisfy me that I should put my hand into the Treasury of the people and give this money to the President or to anyone else. It must be raised by taxation upon the people, and the people have a right to know, through their representatives, something more of the nature of its expenditure than we know here.

I have voted with the President on every measure he has advanced to make war and to carry it to a successful conclusion. I did not do it because I believed everything he did was right, but I did it because I was unwilling to leave undone any word or act of mine that might help the country in its struggle.

But now an armistice has been signed between the contesting powers and peace is practically at hand. The extraordinary methods of legislation of war times are not longer needed. As we turn to liquidate our debts and pay our bills we ought to scrutinize with care our expenditures. It is not only my right but my duty to know something about how and where the appropriations I vote for are to be expended.

So far as I now can learn, these funds may be expended in Russia, where the rule of the Bolsheviki obtains and chaos and disorder are everywhere; they may be spent, and probably will be, in Turkey and Bulgaria and Austria-Hungary, lately in arms against us and our allies; they may be expended in territories that will hereafter be colonial possessions of England or France or Greece or Italy. The point is, no one knows where they are to be spent except Mr. Hoover, and he does not tell. It evidently is not necessary for Congress to know this. It has been said that Congress has on many other occasions appropriated large sums for relief of suffering. Very true, but in all such cases there was a specific object for such charity. Whether we are to bear the greater part of this burden I do not know. I only know that it is said the other nations are also going to contribute. It is also evidently not necessary that Congress have this information. It also seems to me that it is not necessary to expend this vast sum of money in order to make a "safe and regular drain" for the products of the packers, as Mr. Glasgow says is so essential.

Surely the prices of packers' products are high enough in our country, so high, indeed, that meat has well-nigh vanished from the tables of the medium wage earner of the country. We have a wonderfully rich country, it is true. But let us not forget that in our country there is want and suffering, and that we should not be so lavish in our expenditures as to bring privation upon our own people.

Because I have not sufficient information upon which I might justify my conscience in voting for this measure and for my other reasons above assigned, I can not favor this bill in its present form.

Philadelphia—Second Port.

EXTENSION OF REMARKS

OF

HON. J. HAMPTON MOORE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 10, 1919.

Mr. MOORE of Pennsylvania. Mr. Speaker, in view of the pleasantries introduced into the debate on the rivers and harbors bill by the gentleman from Maryland [Mr. LINTHICUM], who very naturally takes pride in the progress of the city of Baltimore, and because of his editorial friend who challenged the statement that Philadelphia held second place in the United States as a port, I take advantage of the privilege granted me to extend by remarks by inserting the annual report to the Secretary of the Treasury of the surveyor of customs of the port of Philadelphia, in which report the figures and returns speak for themselves.

I am sure the gentleman from Maryland will rejoice with me in the declaration that the contributions which the Government makes toward the development of such ports as Philadelphia and Baltimore assist in making these excellent financial returns possible. It is one of the features of waterway development which some of the opponents of river and harbor bills do not seem to understand, that the Government derives a splendid return upon the investment it makes in cases of this kind.

Before the war the port of Philadelphia turned over to the Treasury of the United States as high as $21,000,000 a year in customs duties. Last year, due to war and other conditions, there was a falling off of $14,000,000, which would seem to be a very good return upon the comparatively small amount appropriated for channel improvement. In order to make commerce productive we must keep the means of transportation available.

PHILADELPHIA'S SPLENDID SHOWING.

The report of the surveyor to which I have referred is as follows:

"OFFICE OF THE SURVEYOR OF CUSTOMS,
"PORT OF PHILADELPHIA.

"The Annual Report of the Secretary of the Treasury for the fiscal year ending June 30, 1918, was issued under date of December 2, 1918. From this report and that of the previous year, 1917, the following comparative statement of revenues collected by principal customs districts has been compiled:

Customs district.	Receipts.	Expenses.	Cost of collecting $1.	Number of employees.
New York:				
1917	$156,411,447	$4,208,815	$0.0269	2,961
1918	116,963,221	4,494,918	.0384	2,944
Increase (+) or decrease (−), 1918	−39,448,226	+286,103	+.0115	−17
Philadelphia:				
1917	15,487,681	494,498	.0320	371
1918	15,032,227	538,702	.0340	364
Increase (+) or decrease (−), 1918	−455,454	+29,724	+.0020	−7
Boston:				
1917	8,648,286	881,975	.1020	633
1918	7,370,974	895,889	.1210	611
Increase (+) or decrease (−), 1918	−1,277,312	+13,905	+.0190	−22
New Orleans:				
1917	9,166,214	312,807	.0340	220
1918	9,698,665	330,280	.0340	219
Increase (+) or decrease (−), 1918	+532,441	+17,473	.....	−1
San Francisco:				
1917	5,083,392	473,091	.0930	338
1918	4,201,805	510,230	.1210	343
Increase (+) or decrease (−), 1918	−881,587	+35,139	+.0280	+5
Baltimore:				
1917	1,856,923	262,456	.1410	185
1918	1,258,252	268,418	.2130	176
Increase (+) or decrease (−), 1918	−598,671	+5,962	+.0720	−9
Total, all ports:				
1918	184,851,356	9,848,388	0.0660	6,582
1917	228,147,659	9,253,980	.0428	6,622
Increase (+) or decrease (−), 1918	−43,296,303	+594,408	+.0232	−40

"The following is the value of exports for the above-mentioned districts for the fiscal year 1918 requiring customs supervision:

New York	$2,616,850,680
Boston	205,189,420
San Francisco	211,874,817
Philadelphia	446,612,168
New Orleans	381,428,110
Baltimore	336,356,608

"These totals show that Philadelphia handled one-sixth as much export trade as New York, which largely exceeds the exports of any of the other districts.

"New York district, where there is a great volume of imports in large units, collected 63 per cent of the $184,000,000 of revenue. While New York collects nearly eight times as much revenue as Philadelphia, nevertheless the cost of collecting $1 at Philadelphia is $0.0044 (almost one-half cent) less than at New York.

"Customs administration at Philadelphia was less expensive than in similar districts. To collect $1 the cost was: Philadelphia, $0.034; New York, $0.0384; Boston, $0.121; San Francisco, $0.121; Baltimore, $0.213; New Orleans, $0.034, same as Philadelphia.

"Philadelphia during the last fiscal year—1918—collected $7,661,253 more revenue than Boston and did it with 247 less employees and at $371,178 less expense. The cost of collection at San Francisco is almost four times greater than at Phila-

delphia, while Baltimore is over six times that of Philadelphia, and Philadelphia handled $110,000,000 more exports.

"Owing to few imports there was a decrease in the total customs receipts of $43,296,303. Various customs districts show following decreases: New York, $39,448,226; Philadelphia, $455,454; Boston, $1,277,312; San Francisco, $881,587; Baltimore, $598,671, which shows that Philadelphia had the smallest loss in revenue.

	Collected.	Expense.	Employees.
During 1918—			
Boston	$7,370,974	$895,880	611
San Francisco	4,201,805	510,230	343
Baltimore	1,258,252	268,418	176
Total	12,831,031	1,674,528	1,130
Philadelphia	15,032,227	524,702	364
	2,201,196	1,149,826	766

"These totals show that Philadelphia collected $2,201,196 more revenue during the last fiscal year than Boston, San Francisco, and Baltimore combined, and at $1,149,826 less expense, also with only one-third as many employees.

"CHAS. R. KURTZ, *Surveyor.*

"Philadelphia, December 16, 1918."

GREAT SHIPBUILDING DEVELOPMENT.

From a statement prepared by Elisha Webb, jr., of the Vessel Owners and Captains' Association of Philadelphia, I submit the following list of shipyards now in operation on the Delaware River:

American Bridge Co., Trenton.
Traylor Shipbuilding Co., Cornwells.
Merchants Shipbuilding Co., Bristol.
Clinton Shipbuilding Co., Philadelphia.
Wm. Cramp & Sons Ship & Engine Building Co., Philadelphia.
Kensington Shipyard, Philadelphia.
Noecker & Ake Shipbuilding Co., Camden.
J. H. Mathis & Co., Camden.
Camden Ship Repair Co., Camden.
Quigley & Dorp, Camden.
Delaware River Ship Repair Co., Camden.
New York Shipbuilding Corporation, Camden.
Pusey & Jones, Gloucester.
John Baizley Iron Works, Philadelphia.
Philadelphia Ship Repair Co., Philadelphia.
Philadelphia Navy Yard, Philadelphia.
International Shipbuilding Corporation, Hog Island.
Essington Shipbuilding Co., Essington.
Sun Shipbuilding Co., Chester.
Chester Shipbuilding Co., Ltd., Chester.
Harlan & Hollingsworth Corporation, Wilmington.
Pusey & Jones, Wilmington.
American Car & Foundry Co., Wilmington.
Wilmington Steamboat Co., Wilmington.
Abbotts Shipbuilding Co., Milford.
Vineyard Shipbuilding Co., Milford.
Greenwich Piers Marine Railway Co., Greenwich, N. J.

These plants employ approximately 80,000 men, exclusive of office force and drafting rooms.

The 80,000 men employed in these shipyards represent a population directly interested in ship construction of approximately 500,000. They dwell along the banks of the Delaware River in the vicinity of Philadelphia from Trenton, N. J., to below Wilmington, Del.

PHILADELPHIA'S PREEMINENCE IN DWELLINGS.

Another phase of port development roundabout Philadelphia is the preeminence of the city as a home-owning center. Statistics forwarded to me by the city statistician, before the Government began to erect houses for shipyard workers, are evidences of the substantial growth of the city.

Total number of dwellings in Philadelphia, 365,461.
Two-story brick houses, 217,589.
Three-story brick houses, 114,338.
Four-story brick houses, 4,434.
Two-story stone houses, 2,631.
Three-story stone houses, 8,606.
Four-story stone houses, 300.
Two-story frame houses, 7,954.
Three-story frame houses, 3,606.

Balance of total is made up of houses of various construction.

These homes are largely owned by the mechanic and workingman, who have acquired title to the ownership by years of toil and saving, either in building associations or saving funds.

EXTENSION OF REMARKS
OF
HON. MILTON H. WELLING,
OF UTAH,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1919.

Mr. WELLING. Mr. Speaker, the bill under consideration, H. R. 13708, is a bill providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President of the United States.

It provides for an appropriation of $100,000,000 to be used as a revolving fund to be expended as directed by the President. It is well known that the President has designated Mr. Hoover to act as his agent in administering the law.

I am in favor of the passage of the bill. No satisfactory reason has been assigned by those who oppose the measure why it should not pass. If passed at all, it should be passed now. Time is of the very essence of the matter.

Those opposed to the bill base their opposition upon two grounds chiefly, namely: First, it is contended that Congress is not in possession of the facts which will enable it to act intelligently in the matter; and, second, it is urged that we should do nothing until positive assurance is given that our allies will do their share.

The Congress is in possession of the facts. I call attention to the message already read by the gentleman from Kentucky [Mr. SHERLEY] from the President upon this subject. He states:

[Cablegram from the President, received Jan. 2, 1919.]

Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas are not only faced with absolute starvation during the coming winter, but that many of these populations are unable to find immediate resources with which to purchase their food. These regions have been so subjected to destruction by war, not only of their foodstuffs but of their financial resources and their power of production and export, that they are utterly incapable of finding any resources that can be converted into international exchange for food purchases. While the Secretary of the Treasury can accept obligations of certain Governments and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia. In these countries freedom and government will slowly emerge from chaos and require our every assistance. The total shipments of foodstuffs from the United States to all parts of Europe during the next seven months will be likely to exceed one and one-half billion dollars, and from our abundance we can surely afford to offer succor to these countries destitute of resources or credit. The minimum sum upon which this work can be carried on for the next six months in the countries above mentioned will amount to at least $100,000,000 for such services and supplies as we can render, and even this sum contemplates the finding of resources by so much of the populations as can do so and much assistance as can be given by the allied Governments. The high mission of the American people to find a remedy for starvation and absolute anarchy renders it necessary that we should undertake the most liberal assistance to these destitute regions.

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 to 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude. While the sum of money is in itself large, it is so small compared to the expenditures we have undertaken in the hope of bettering the world that it becomes a mere pittance compared to the results that will be obtained from it and the lasting effect that will remain in the United States through an act of such broad humanity and statesmanlike influence.

Mr. Henry White, one of our peace commissioners, in a message addressed to a Member of the Senate, says:

I consider it, therefore, of utmost importance that President's request for one hundred million appropriation for relief be granted at once. Impossible to inaugurate peace conference under proper auspices without previous adequate provision to cope with situation.

Mr. Hoover, in presenting the matter, says:

I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of bolshevism without the expenditure of lives and vast sums on military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

Mr. Lansing, the Secretary of State, a member of our peace commission to Europe, also strongly indorses the appropriation. In doing so he transmits to Congress an estimate of the food products needed by these starving people during the next eight months, as follows:

In view of the famine in Lithuania, Silesia, and Lwow, in order to satisfy the minimum needs of the indigent population of all Poland, with Lithuania, Silesia, 60,000 tons of flour are needed immediately.

There is a need of 45,000 tons of flour per month in January and February and 30,000 tons of flour per month in March, April, May, June, and July, a total need of 300,000 tons of flour. The below-given indicated quantities must be comprised in the monthly needs. The duration of these monthly needs comprises eight months; that is, beginning with January until month of August, inclusively. Six thousand seven hundred and fifty tons of peas, kidney beans, and oatmeal; 5,625 tons of sugar; 1,875 tons of rice; 8,400 tons of preserved meat, above all, lard; 2,250 tons of fish and herring; 600 tons of condensed milk; 15 tons of cheese; 180 tons of butter; 600 tons of vegetable and animal fats; 375 tons of tea; 90 tons of cocoa; 30 tons of pepper; 15 tons of saltpeter. In view of complete exhaustion of all storage, there is a need of clothing, shoes, and underwear for 10,000 inhabitants, counting per person a pair of shoes, 3 meters of material for clothing, and 6 meters of linen. There is a need of medicines and bandages. We will communicate to you on occasion the great necessary quantity of same. For the transport of the above-mentioned cargoes of the ports of Gdansk, Krolewiec, and Libawa, 3,300 covered wagons and 110 locomotives are necessary.

I submit, Mr. Speaker, that it would be difficult to conceive of a situation where these representatives of the Government would make this unusual request unless the need was conclusive and imperative.

It is inconceivable to me that these gentlemen should have made such a request without having full details before them. It is entirely in keeping also with the peculiar circumstances of the present situation in Europe that it may be unwise at this time to give a fuller statement of the reason which impelled these distinguished gentlemen to ask for this relief.

When the armistice was signed, on the 11th of November, the American people were expending on the war a total sum of $40,000,000 each day. This appropriation represents, therefore, the cost of the war to America for two and one-half days. That is not an accurate statement. Two and one-half days of warfare costs us $100,000,000 in money, but it costs us much more than that. There were the precious lives of American soldiers being lost upon every battle field in France.

It is not difficult for us to realize how the war could have been prolonged. As a matter of fact it stopped with such startling suddenness that we could hardly believe the end had come. This appropriation lengthens the war in point of cost two and one-half days, but the money so expended is intended to save and not to destroy. We have for years watched with horror the god of war stalking like a mad specter through western Europe. I am glad the time has come, largely through the efforts of the President of this Republic, when we can hold out to our exhausted and suffering allies this evidence of our appreciation and support.

It is beyond controversy that the statesmanship of President Wilson shortened the war by many days and without doubt saved thousands of American lives. His action conserved the wealth of the Nation and saved the lives of our soldiers upon the battle fields. He has every right to-day, it seems to me, without question, to come to the Congress and ask that this $100,000,000, the price of less than three days of war, should be expended in the interests of peace.

I have absolutely no patience with gentlemen who pretend that this country is in a condition of want and starvation in any way comparable with the conditions that exist in the stricken regions of southern Europe and the Balkan Peninsula.

America was never more prosperous in the world than it is to-day. Four years ago we owed in Europe $4,000,000,000. To-day the nations of Europe owe America $8,500,000,000. We have in four years largely as a result of the war achieved a trade balance of $12,500,000,000 in favor of the United States of America.

There are no idle men. There are no idle workshops. Labor was never paid so liberally as it is paid to-day.

In view of these conditions, it seems to me to be particularly absurd to compare the conditions of America with the conditions that exist in these stricken countries in Europe.

Besides, Mr. Chairman, we are furnishing this money to buy food for wives and children of men who have died fighting side by side with American boys upon the battle field. These heroic people have contributed as much as any other human beings could contribute to the victory which has been achieved. In most cases their contribution in money and in men has exceeded our own.

It is true that the Government has provided an agency through which we may loan money to Italy and France and England and Belgium, but this money can only be loaned to those governments in Europe who can furnish security for its repayment into the Treasury of the United States.

This money is intended to aid those countries in southeastern Europe who can not be relieved by a loan to the government of the country direct. In Austria-Hungary and in southern Russia and in Roumania new governments have been established, which have broken away from the tyranny of the governments under which they have lived during the war.

These new governments are our allies, but they can not be recognized by the Secretary of the Treasury in advancing funds to European countries for the reason that they have no securities to offer in return. It is to assist these struggling people that the President is asking for this fund to-day.

Without this assistance, we are assured by those who have made a careful study of the situation upon the grounds, there will be anarchy and disorder in place of the orderly development of their national life.

We are told by the President and his advisers now on the ground that bolshevism is spreading westward from Russia through these countries. Bolshevism thrives upon starvation and famine. It seems to me that any thoughtful man will conclude that the very best way to conquer this menace is to turn over to these starving allies food to satisfy the temporary needs of these new nations until such time as they can organize themselves for their own protection and defense.

Gentlemen, there is another reason why this money should be appropriated freely and without question upon the request of the President of the United States. The President to-day stands in a most critical position before the world. Men at home have not hesitated to attack the propriety of his going abroad. His enemies have felt that it was an appropriate time to denounce him and the peace plan which he offers to the world.

Men have with great satisfaction, apparently to themselves, suddenly arrayed themselves against the peace program of the President. They have placed the most powerful weapon their ingenuity can forge in the hands of the reactionaries of Europe by insinuating that Wilson has not the respect and support of the American Congress.

To withhold from the President at this time the full measure of support which he asks would, it seems to me, indicate a lack of confidence in his entire mission abroad. Any political organization which is willing to assume the responsibility of discrediting the President in this crisis can not choose a more favorable opportunity than the present moment nor the present measure in which to bring it about.

I can not believe, Mr. Chairman, that any man would feel justified in taking such a course. The President of the United States to-day represents America, not a political party. He represents all the people of this Republic, not one-half of them; and the American people, in my judgment, would not approve a partisan assault which threatened the success of his mission abroad and the proper support that should be given to his work for all the people of this Republic.

There should be no delay in making this appropriation. You can not argue with hunger and cold, and these elements added together demand that the millions who suffer should be fed at once. To delay would mean to defeat the very purposes for which the appropriation is to be made.

The bill should pass now. There is still time, in the judgment of the men who represent us in Europe, to assist in establishing peace and to relieve hunger among those who in many instances have offered their lives and the lives of their loved ones to assist us in winning the war.

EXTENSION OF REMARKS

OF

HON. EDWARD E. ROBBINS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919,

On the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Mr. ROBBINS. Mr. Speaker, I was unable to obtain time to express my views on the floor on this bill when under consideration, and I avail myself of the privilege of extending my remarks, in order that I may give my personal reasons for voting against this appropriation of $100,000,000.

On the 2d of January the President cabled from Europe making this request:

I therefore request that you should ask Congress to make available to me immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies for transportation, distribution, and administration thereof to such population in Europe, outside of Germany, as may be determined upon by me from time to time as necessary.

This is an appropriation to place in the hands of the President $100,000,000 to spend as he chooses, with such population as he chooses, outside of Germany, in Europe. No other information is given us.

While the war lasted I voted consistently for every appropriation of money asked by the President or the administration to prosecute the war. Up to this time the Government has not requested the appropriation of money for any purpose except the prosecution of the war, and although the American people on many occasions have liberally contributed for charity, especially on two occasions—once for one hundred million, and again one hundred and seventy million—both of which were freely given, to the Red Cross in the first instance and the Red Cross and allied charities in the second, we are now asked, for the first time, to embark the Federal Government in charitable contributions.

On the 2d of December the President, in a message to Congress, stated that "the war had come to an end on the 11th of November." Hence, this can not be regarded as a war measure. Nor are we furnished with any plan or scheme that indicates that this expenditure is to be made in conjunction with the other nations who are our allies in the war. I do not deny that there is want and misery in Europe, and especially in Asia Minor among the Armenians, which this bill does not reach, and in Siberia, where our troops are and where want and suffering are apparent on every hand; but I do contend that Congress has no right to appropriate money out of the Federal Treasury to be expended by the President wherever he may desire, or by any other individual, for the purpose of attempting to alleviate these conditions. There is no warrant of law for such action by Congress.

The American Red Cross is the greatest charitable organization in the world. It has only as yet expended a portion of the last $170,000,000 contributed for charitable purposes to relieve the suffering in Europe and Asia and Asia Minor. It should be placed in the entire control of this charitable relief work. This organization has agencies established all over the world. It is familiar with conditions. This organization is in existence and active. If further money is to be sent to Europe—and I would think there should be further aid—I think it ought to be distributed there through this organization. The President has quite enough to do to attend to the peace conference. He has now been in Europe since the 13th of December, and until the 12th of January the peace conference has held no meetings. The greatest service that the pence conference could perform is to promptly settle the matters that are dependent upon it for action and get the people of Europe back into normal conditions and allow them to establish stable governments of their own choosing. Long delay in the peace conference is bad. I can not see how the President can administer this great fund in a way that will contribute to the benefit of the peace conference or to the immediate relief of the peoples alleged to be in want.

It is impossible to send food supplies into Russia, because the Bolshevik and disorderly element generally are in control, and they would seize and confiscate these supplies. It is not the purpose to send any of it into Germany. We have under present conditions been able to take care of Belgium through the Red Cross and other charitable organizations. This is a charitable movement purely, and should be conducted upon a charitable basis by funds contributed for that purpose and distributed through the Red Cross, Knights of Columbus, Jewish Relief Society, the War Welfare Board, and the Salvation Army. These several charitable organizations not only understand the methods, but have the machinery and can distribute funds of this kind fairly and without any expense. They are the proper organizatons to handle all charitable contributions, whether of money or supplies.

I want the President to be relieved of any work or responsibility except that which belongs to the pence commission. It appears to be quite enough to occupy him and his fellow commissioners, and if successfully carried out will be of the greatest possible value to our country and to the world.

I do not believe that free food and free supplies given to the disorderly element of Europe and high-priced food sold to our own people would be conducive to either good order at home or the establishment of stable government abroad. Seventy-five cent bacon to our workmen in our home cities and free bacon to the Bolshevik in Russia or the disorderly peoples in Europe would not accomplish the ends suggested in the cablegram and would not be conducive to peace or quiet either at home or in Europe.

There is one phase of this discussion that has been overlooked, in my judgment. Recently the people of the entire United States have been afflicted with the scourge of influenza. The State of Pennsylvania has ordered a survey at the instance of the Council of National Defense to ascertain the number of orphan children of school age that must be cared for. This survey has been made in part in Westmoreland County, Pa., one of the counties I have the honor to represent on the floor of this House, and over 1,000 orphan children have been found of schoolable age whose parents have died and who must be supported by charity. These are dependent orphans, and must have immediate relief at the expense of the county. Dr. McClintock Hamill, of Philadelphia, who is conducting this survey with the aid of the county superintendent of schools and the teachers in the public schools, has already discovered this number in Westmoreland County, and half the work is not yet done. This will mean heavier taxes upon the taxpayers, and they must bear it, because these are the future citizens of our own country, and to neglect them would be an unheard-of act of cruelty fraught with far-reaching disaster to the Republic.

Recently I read that in New York City children were fainting from lack of food in the schools and that the teachers were giving breakfasts to the little ones under their care in order that they might have bodily strength to remain in school. In yesterday's papers the secretary of the Federation of Labor predicts bread lines before April in the United States. With these conditions at home, I believe that the money in the Federal Treasury should be devoted strictly to the support of the Government and that charities should be carried on, as all charities ought to be, by voluntary gifts of our citizens.

If the President wants $100,000,000 for Europe and gives the facts, I believe the people of the United States will contribute the money and it will be sent abroad as a charitable fund stamped with the love of human kindness and will bear the fruits and carry with it the blessings of all charity that is willingly bestowed.

Therefore, believing it to be our first duty to take care of our own poor and because we have a disorderly element now appearing in the United States which may require attention, I shall vote against this bill in its present form. It would be a different proposition if this fund were to be turned over to the Red Cross and commingled with other charitable funds and by it distributed, but we are without information either as to the facts or as to the purpose for which this money is to be expended or the people who are to be benefited by it or the method or means of its distribution. To vote to take this vast sum of money out of the Treasury of the United States when we have a deficiency in the Treasury at this time—and increasing daily—of over $10,000,000,000 and a liberty loan of six billion to be raised from the people on the 6th of April and a tax bill to collect $8,000,000,000 now in the conference committee, to be enacted by the present Congress, is placing an excessive burden on our people, when economy and care should be exercised, now that the war is over, in the expenditure of every dollar that is taken from the Public Treasury. I believe that the scriptural injunction should be followed in this instance:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

EXTENSION OF REMARKS
OF
HON. HENRY A. CLARK,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 13, 1919,

On the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Mr. CLARK of Pennsylvania. Mr. Speaker, an opportunity to speak upon this bill was given to me. I intended to do this, but yielded my time to another. Subsequently, upon request, I received permission to extend my remarks, and I now avail myself of this privilege.

In the discussions it was stated that the enactment of this bill would check the growth of bolshevism; that this could only be done by bullets or bread.

Bolshevism has deluged Russia with the blood of her people; it is rampant in Germany; it is trying to spread its baleful influences into other countries; it has been encouraged by German propaganda, financed by German money. The proof is convincing that Trotsky and Lenine were the paid agents of the Imperial German Government, notably so in the treaty of Brest-Litovsk.

The Bolsheviki have been destroying the very foundations on which law and order rest; have looted without restriction; pillaged, burned, and killed without cause or justification; have committed all the offenses in the calendar of crimes. In their

atrocious deeds the fangs and claws of the jungle are disclosed; a dangerous species of rabies possesses them, and its origin does not have any racial limitation; it is not confined to the people of one nation, but flourishes in some of the nations with whom we were recently at war; it especially thrives in Germany and Russia.

The Bolsheviki in their sinister work beget destruction and breed anarchy.

How can they best be stopped, by bread or bullets?

I am not convinced that bread alone is the cure; the hand that feeds strengthens, and by so doing I fear that, figuratively speaking, we are warming the chilled snake that will turn and sting us.

Bolshevism will consume itself by its own excesses. It is already in large measure barred out from the smaller nations, and especially from those now seeking their independence, like the Czecho-Slovaks.

It is also urged that we now send food to countries on the eastern littoral of the Adriatic, and yet we read that at least two of these nations in this section are fighting each other; that one of them had a force of 20,000 armed men engaged in battle against the other. They must have had some subsistence to enable them to do this. Shall we encourage them by giving them food? It has been said that some of the entente nations have been sending supplies to these people. Shall we also contribute? Will it not aid them to strengthen their military activities and to cause a sacrifice of men instead of saving them? From the meager knowledge which each Member has he must decide which is the better under existing circumstances—to give or not to give—to save human life; which will produce numerically the greater result. Fighting among themselves should cease before aid is extended.

This clash of arms in these countries is not helpful to the deliberations at Versailles, to the solving of perplexing problems, to the establishment of a league of nations to enforce peace.

Somewhat similar conditions may be found in other sections for whose relief it is asserted this money is to be expended. It seems to some of us that by so doing we but add fuel to a flame.

There are other matters which demand consideration—our national finances, obligations incurred, and expenditures of the future.

A deficit of $10,000,000,000 presents itself to be raised by bonds and taxation.

The War Department estimates that there is due on orders or agreements lacking some contractual technicalities to companies in this country $1,750,000,000 and to foreign countries $1,883,000,000.

I am in receipt of complaints about unpaid allotments to dependent wives and parents, unpaid insurance risks to beneficiaries, unpaid wages due for months to sound men in service and maimed soldiers in the hospitals.

Of this latter class in one case the facts are that the soldier has been in the service more than a year, was overseas, was wounded in seven different places and had one rib taken away, and up to the last I heard of him, during the present month, had not received any pay since April. A hospital in New York City contains many wounded men who did not have a cent with which to pay postage on letters to their families at home, and have not had any for some time. Almost within the shadow of the Treasury Building are wounded men who have not received their small pay.

Could we not more profitably and patriotically spend our time in devising and putting into law some system by which all this could be quickly remedied, and also for the adjustment and settlement of our own obligations, rather than to wrangle over the proposed relief of the atrocious Bolsheviki?

Our national resources have been drawn on as never before, and we are rapidly approaching the limit of exhaustion.

There was one other feature which appears in the correspondence and discussions not very much referred to, and that was the stabilizing and maintaining of the high prices of food. For this I have little sympathy.

Why $55,000,000 worth of food should be upon the high seas in ships, which can not be used for purposes of relief unless this bill becomes an act, is beyond my understanding. Did this food leave this country without any contracts being made for where it was going and by whom it was to be used? There must have been some agreement or contract made in relation to the purchase of this food. Were these contracts canceled? Who did it? The information obtainable does not give much enlightenment.

An individual having trust funds in his possession is held to a strict accountability by his cestui que trust and by the courts; if he is to invest he must acquaint himself thoroughly with all the information he can obtain; if he is careless or negligent and loses either, he is personally liable or his bondsmen must answer in money.

We are trustees and it is our bounden duty to fully understand what we are doing in the appropriation of the people's money. True, we may not have that pecuniary personal liability that the individual has, but we are answerable to our consciences, our constituents, and the whole country.

The informaton as to how and for whom and the full purpose for which and whether in combination with the entente nations this money is to be used was too meager and not sufficient to bring it up to the standard which governs and is established for individual investment. I therefore did not feel that I could favor the bill and vote by proxy, as it were, for its passage.

I do not wish to be understood as opposed to aiding stricken Belgium or devastated France or some races like the Czecho-Slovaks and others who, though for generations have been subjugated and ground down under the heel of tyranny, have nevertheless held to their own ideals and are now seeking to regain their freedom, establish their own governments, that they may live in accordance with their own national and racial aspirations.

I do not know whither this money is going; I do know from whence it comes. The passage of this bill means in a sense that each Member asks every man, woman, and child in his district to contribute $1. The requests in the past have been urgent and numerous and have met with generous and patriotic response. Additional demands are to follow for the raising of more money. Is it not now a proper time to retrench and stop the contemplated expenditure for purposes of doubtful benefit? It seems so to many of us who are just as desirous for helpful legislation as those who favor this measure.

There are less than a billion and a half minutes from the present moment backward to the hour of the Nativity. It will probably be His second coming if we keep on appropriating billions before the taxpayers can pay the debt.

The Zone Postal Law.

By giving a flat postal rate to advertising matter the Government is assisting the publication of wide circulation to invade the field of the local newspaper and secure advertisements that would otherwise be given to the local paper. It is purely a commercial business transaction in which the public has no interest, and I maintain that it is wrong to tax the people for such purpose. In other fields of commercial enterprise the Government, by its antitrust law, seeks to protect the weak from the mighty. I am willing for all publications to have an equal opportunity in every zone when it is upon the basis of literary merit, but not so when it is upon a business or commercial basis.

EXTENSION OF REMARKS

OF

HON. JOSEPH J. MANSFIELD,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1919.

Mr. MANSFIELD. Mr. Speaker, in view of the fact that a preconcerted movement is now on foot by a combination of big publishers to stifle and destroy a most wholesome and salutary law recently put into operation for regulating the postal charges on second-class mail matter; and in view of the further fact that a great deal of propaganda is being circulated throughout the country with a view to deceiving the people and decoying them into a campaign for the perpetuation of the more than seventy million dollar annual subsidy those publishers have been receiving at the hands of the people, I desire to submit a few observations with respect thereto, for which I invite careful consideration.

Many tons of printed propaganda, consisting of editorials and copyrighted articles, as well as in circular and pamphlet form, all misrepresenting the facts, have been sent out to the people through the mails at a rate of postage averaging less than one-sixth the actual cost to the Government in handling such matter. In other words, propaganda for the purpose of deceiving the people into doing themselves an injury has actually been conveyed to them at their own expense, and the law compelled them to bear this burden. We have one notable parallel in sacred history. The Savior of mankind was compelled to bear the cross upon which he was to be crucified.

That thousands of people have been deceived by this propaganda can doubtless be verified by the files in the office of each Member of Congress. I have in my possession more than 100 copies of resolutions purporting to have been and doubtless were adopted by societies and organizations throughout the country condemning the "zone" postal rates. These resolutions were from every section of the country, from Maine to Texas and from Cape Hatteras to the Golden Gate. Upon comparison it will be found that the language employed is identical in every instance, even to the crossing of a "t" and the dotting of an "i," although they may have been adopted and mailed at points 2,000 miles apart. A strange coincidence is that one came from a civic society in the State of Missouri and by the same mail I received copy of resolutions adopted by the press association of that State highly indorsing the "zone" charges.

I have seen many propagandist statements to the effect that the "zone" law was hurriedly enacted and without giving it thorough consideration. I will say in reply that perhaps no other feature of the Postal Service has received as much consideration the past few years. Some six commissions have made the most exhaustive investigations and reports; four Postmasters General have called attention to the heavy losses to the Government on account of the second-class rates; three congressional committees have repeatedly held hearings upon it; the bill was duly considered by Congress; debate thereon was general and covered the whole field. I will simply close this feature of the case with a request to all Christian Americans to remember in their prayer these propagandists, or, rather, "propagan-ders," who stand so much in need of prayer.

I have also received many dozens of letters and petitions signed by hundreds of people asking for a repeal of the law, and deploring the fact that it will be "more burdensome for those far away from the place of publication, while near-by readers escape." The letters almost invariably ask why it is "that in Canada, with only 6,000,000 people, second-class postal rates are just one-quarter of what they are in the United States, and yet the Canadian post office department operates at a profit?" They also ask the question, "Is it not true that the Postal Department shows a surplus, even with the present rates on second-class matter?" The letters also invariably deplore the fact that the law was tacked onto a revenue bill instead of being adopted in a separate bill, and this is designated as an "unjust imposition." These questions having been asked I shall endeavor to answer them.

As to the "zone" postal law being discriminatory against the far-away subscriber, I will say that those who had apprehensions along these lines need have no further alarm. Magazines published in New York and Philadelphia sell at the same prices in Texas that they are sold for in Washington and Baltimore. To make sure of this statement a few days ago I wired to a responsible legal firm in Houston for verification on a few popular publications. I insert my telegram and reply received, which are as follows:

WASHINGTON, D. C., *January 9, 1919.*

GREEN & BOYD,
Chronicle Building, Houston, Tex.:

It is claimed zone postal charges on second-class mail are discriminatory against those far away from place of publication. For purpose of ascertaining the facts, I desire to know price at which a few leading publications are sold in Houston. Wire promptly, my expense, selling price of following: Review of Reviews, Outlook, Munsey's, Leslie's, Collier's, Cosmopolitan, Saturday Evening Post, and Ladies' Home Journal.

The following reply was received:

HOUSTON, TEX., *January 11, 1919.*

Congressman J. J. MANSFIELD,
House of Representatives, Washington, D. C.:

Review of Reviews, 25 cents; Outlook, 10 cents; Munsey's, 20 cents; Leslie's, 10 cents; Collier's, 5 cents; Cosmopolitan, 25 cents; Saturday Evening Post, 5 cents; Ladies' Home Journal, 15 cents.

GREEN & BOYD.

In this connection, Mr. Speaker, I will state that on the day that telegram was received the publications therein mentioned sold at the news stands in the city of Washington at the same prices at which they were sold in Houston, although one place was within the first zone and the other the seventh zone under this law. I will further say that the postal charges on reading matter to readers is still under a flat rate in the same manner as under the old law. The "zone" charges do not apply to the reading matter of any publication. Nothing but commercial advertisements have been placed under the "zone" system, and the price of advertising space in the magazines has already been raised to the advertisers sufficiently to cover this additional cost in postal charges, "and then some."

As to the Canadian postal system, it bears few points of similarity to ours in relation to second-class matter. In 1916 Canada handled but little more than 80,000,000 pounds of this class, while we handled more than 1,200,000,000 pounds. As we lost over $70,000,000 on ours, Canada at the same ratio would have lost less than $5,000,000 on her second class. We recouped our losses by an exorbitant charge of 2 cents on letters, when it cost the Government but 1 cent to handle those letters. Canada also recouped a portion of her losses by excessive charges on first-class mail; but still, having faced a deficit in 1915 of nearly $3,000,000, she levied a war-stamp tax which restored her postal system to a paying basis for that year.

The official report of the postmaster general of Canada for the year ending March 31, 1916, shows that the net revenue amounted to $18,858,409.93, while the expenditures were $16,000,138.77, leaving a surplus for the year of $2,849,271.16. The report also shows that for the year 1915 the department was operated at a loss of $2,914,541.90, the receipts for that year being $13,046,649.57 and the expenditures $15,961,191.47. The surplus for 1916 is explained on page 15 of the report, in which it is shown that the great increase in revenue in the department was due to a war-stamp tax which became effective April 15, 1915, and which increased the receipts to the extent of $6,672,127.62.

A tabular statement published in the report shows that the department was operated at a loss from 1869 to 1901, inclusive, a period of 33 years; and from 1902 to 1914 (the first year of the war) the receipts slighty exceeded the expenditures; but in 1915 the deficit was approximately $3,000,000, and was only restored by the heavy war-stamp tax put into effect on April 15, 1915, as stated.

On June 18 of last year Hon. John C. Koons, First Assistant Postmaster General, at my request, wired the postmaster general of Canada for a statement as to the volume of second-class mail handled in the Dominion the previous year. Some time later I received a letter from Mr. Koons, transmitting the reply, as follows:

JULY 5, 1918.

Hon. J. J. MANSFIELD,
House of Representatives.

MY DEAR MR. MANSFIELD: I am handing you herewith for your information copy of a letter recently received from the deputy postmaster general of Canada, in which he gives the amount of newspaper and other publications handled by their department during the year 1917.

Sincerely, yours,

J. C. KOONS,
First Assistant Postmaster General.

POST OFFICE DEPARTMENT, CANADA,
Ottawa, June 26, 1918.

SIR: With reference to your wire of the 18th instant, in which you ask to be advised as to the number of pounds of newspaper and other publications handled by this department as second-class matter during the year 1917, I have the honor to inform you that the approximate weight of newspapers and other periodicals transmitted by post in Canada during the year above mentioned is as follows:

	Pounds.
Daily papers	55,108,890
Weekly papers (free area)	5,400,000
Weekly papers (outside free area)	21,847,050
Monthly papers, etc	1,976,400
Total	84,332,340

I have the honor to be, sir,
Your obedient servant,

R. M. COULTER,
Deputy Postmaster General.

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C., U. S. A.

It will be observed from this statement that very few, if any, magazines are admitted to the second-class rates in Canada. The statement mentions "daily papers," "weekly papers (free area)," "weekly papers (outside free area)," and "monthly papers, etc." The "etc." in the last item contains the only possible magazines, and this item amounts to less than 2,000,000 pounds. If the entire item had consisted of magazines, and if the Canadian Government had carried them through the mails free of any postal charge whatever, its loss on account thereof would have amounted to but little more than $150,000. It bears no comparison whatever to our magazine mail, we having carried nearly 700,000,000 pounds an average distance of more than 1,000 miles and at a loss to the Government of approximately $40,000,000. In this connection it should be borne in mind that more than 50 per cent of the weight of these magazines consisted of advertising matter on which the publishers received a profit, and would have received a profit even though they had paid the entire cost of their transportation through the mails.

The Canadian Government exercises a rigid censorship over the mails by which her losses on second class are materially curtailed. We have no such censorship, nor would it be acceptable to the people of this country. On account of this censorship it is practically impossible to get magazines admitted to the second class in Canada, and totally impossible to do so in England, as the publishers have testified. The Curtis Co. has tried repeatedly to have the Ladies' Home Journal admitted to the second class in Canada, but without success. The same company, after much difficulty, finally succeeded in getting the Saturday Even-

ing Post admitted, but as the Canadian law forbids publications that carry double-page advertisements the Saturday Evening Post must of necessity pay a higher rate of postage on those issues containing advertisements of that size.

Canada also through her censorship, and under authority of law, places a heavier postal charge upon advertising than upon reading matter. For instance, newspaper supplements are not permitted to carry advertisements at all; in the United States supplements usually consist almost entirely of advertisements. In Canada a newspaper or periodical must "consist wholly or in great part of political, or other news or of articles relating thereto, or to other current topics." In the United States the average of advertisements is shown to be more than 50 per cent, and in many instances runs as high as 92 per cent. Such publications in Canada are placed in the third class and under a rate of 1 cent for every 2 ounces or fraction thereof.

Under the Canadian law subscriptions obtained by offering premiums or those obtained at a nominal price are not permitted to the second class, but pay at the rate of 1 cent for every 2 ounces or fraction thereof. In this country millions of pounds of literature are sent through the mails for a mere nominal subscription price, the big publishers using their large subscription lists as a leverage for obtaining advertisements at enormously profitable figures, and using our postal system as a means for distributing those advertisements for their individual profit. By this means they can place their publications in competition for advertising within the zone of circulation of every country newspaper, and keep the country editors' "nose to the grindstone." The country editor can not compete with the big publisher because his field of operation is necessarily within a limited zone.

I desire to insert in the RECORD a letter written by me to Charles Johnson Post, director of the Publishers' Advisory Board, from which it will appear from the evidence there quoted that the big publishers desire the flat-rate system so as to enable them to invade, at Government expense, the zone of every country newspaper. I desire to call attention, in this connection, to the testimony taken before the Ways and Means Committee on June 28, 1918, where the same design is disclosed. Also, to the letter of the Sanders Publishing Co. to the gentleman from Illinois [Mr. HENRY T. RAINEY], where this language is used:

> We do object, however, to this zone proposition, which discriminates all the time in favor of the local sheet as against papers of broad national character.

Mr. Speaker, the noble work done by the country newspapers during the great war certainly entitles them to our best consideration. While some of the publications "of broad national character" were whining about the war-revenue bill, the "local sheet" was publishing whole pages for the cause of the Red Cross, the sale of war savings stamps, and liberty bonds, as well as assisting the councils of national defense in helping to win the war, all of which was done patriotically and without charge. It is their cause, sir, that I would rise to advocate instead of cringing to that element of the press that during the war undertook to make the Nation's cause subservient to its own interests.

Mr. Speaker, Canada is beginning to realize the great imposition that has been heaped upon her by the nominal rate on her second-class mail, notwithstanding the fact she is protected from its effects largely by her censorship. Her burdens, though light as compared to ours, are, nevertheless, being felt. Mr. A. D. Smith, who was for many years undersecretary for the post-office department of Great Britain, in the work published by him in 1917, which is regarded, as I am informed, as the greatest authority on postal matters in Great Britain and Canada, in speaking of the Canadian newspaper rate, says:

> In well-informed quarters it is held that, in general, the leniency shown to newspapers is not due solely to the acceptance by Parliament of the arguments usually advanced in their favor, plausible and convincing as they are to many minds, but has also been dictated by fear of the political power wielded by them, or, what is the same thing, as a result of direct pressure at Ottawa by the newspaper proprietors, based on their influence with the electors, or the chiefs of parties, and exercised in their own interests.

From this it will be seen that the postal concession to the publishers in Canada was granted to them mainly on account of their political influence.

Mr. Speaker, because we have levied an exorbitant rate on letters in order to cover the losses to the Government on second-class mail, the publishers are taking advantage of it to show to the country that the department is now self-sustaining. I, for one, am opposed to taxing one branch of the Postal Service to pull another branch "out of the hole." Each branch should be as nearly self-sustaining as circumstances will reasonably permit, but no branch of the service should be required to pay more than is sufficient to cover its own cost. "Each tub should stand on its own bottom." I realize that some branches of the Postal Service can not be made self-sustaining, but the deficit in such cases should be raised in some other form of taxation and not by taxing one branch of the Postal Service for the benefit of another branch.

I was to-day informed from the Post Office Department that about one-third the volume of our mail consists of the second class, but that it produces only one-thirtieth of the revenue received. During the 10-year period ending with 1917 first-class mail in the United States produced revenue to the extent of $1,350,000,000 and cost only $750,000,000, leaving a clear profit to its credit of $600,000,000. During the same period second-class mail produced revenue to the extent of $85,000,000 and cost $800,000,000, leaving a clear loss to the Government of over $700,000,000. Even our great and growing parcel post, the volume of which was nearly 2,000,000,000 pounds the past year, produced a revenue of nearly $74,000,000, an amount sufficient to cover the cost to the Government of this most valuable branch of the service.

I respectfully submit, Mr. Speaker, that a postal rate on any class of mail that exceeds the cost of handling that class is contrary to the theory of postal service and can not be defended upon any ground other than as a necessary war measure. Under our postal rates from 1885 to 1918 a double rate was charged upon letters in order to obtain money to pay the cost of transporting and handling magazines for the big publishing companies, whose business would generally have been profitable even if they had been required to pay their own expenses.

I am inserting here a letter received a few days ago which is self-explanatory and to the point. It is as follows:

SHERMAN, TEX., *January 1, 1919.*

Hon. J. J. MANSFIELD, M. C.,
Washington, D. C.

DEAR SIR: Will you pardon the intrusion of a thought of a Texas taxpayer? We are not referring to the taxes levied by the county assessors nor the taxes collected by the Internal Revenue Department or any of the usual forms of proper taxes.

We refer to the discriminating tax of approximately a thousand dollars annually which I and my associates pay merely because we are free users of first-class postage.

We are not objecting, and do not regard the actual cost of handling these letters by the Post Office Department as a tax, but we are thoroughly convinced from the figures compiled and given out by the Post Office Department itself that the 3 cents on the envelope is approximately apportioned as follows:

1. One cent to cover cost of handling, which we gladly pay.
2. One cent for war tax, which we gladly pay, because the money has been spent for the benefit of humanity. We presume, however, that with the closing of the final peace treaties that this war tax via postage stamps will be reduced or removed.
3. One cent which we pay as a subsidy to publishers of second-class matter. They do not pay sufficient postage to cover cost of the service rendered by the Post Office Department to them. We object to this. It is no more right that my special business be taxed for the benefit of another's special business than that he should be taxed for my benefit. This brings me to the point: We hope in the pending legislature that at least the zone rates on advertising sections of second-class matter will be increased sufficient to cover the cost of the service.

Very truly, yours,

FERGUSON SEED FARMS.
By A. M. FERGUSON.

In 1885, when second-class mail was given the flat rate of 1 cent per pound, we handled but 60,000,000 pounds and only 5 per cent of it was advertising matter. Now we handle approximately twelve hundred and thirty million pounds, over 50 per cent of which is advertising matter. The volume has increased in compound proportion, and the cost to the Government has kept pace with it. The people have been paying the expense of handling thousands of tons of the most trashy literature imaginable, much of which ought never to have been printed.

It has been shown that on account of our flat postal rates on literature, a large majority of which is of a trashy character, we have descended to the bottom of the scale among civilized nations in the publication of good and useful books. Switzerland, Japan, Germany, France, England, and other countries have gone far ahead of us in this respect, Spain alone of the European nations being in our class.

As to the exception taken to the law because it was a part of the revenue bill instead of being a separate measure, I would like for the intelligent gentleman who embraced this in his propaganda to explain to the public wherein it makes any difference to them as to who introduced the bill or which committee reported it. Both the Ways and Means Committee and the Committee on Post Offices and Post Roads acquiesced in it. To the public it is immaterial; to the publisher it is simply a question as to whom he would prefer to have the privilege of "cussing," the gentleman from North Carolina [Mr. KITCHIN] or the gentleman from Tennessee [Mr. MOON.]

The publishers in their opposition to a legitimate raise in postal charges on second-class matter have not been consistent. In 1914, when the Committee on Post Offices and Post Roads was investigating the matter under the recommendation of the Hughes commission for an increase of 1 cent per pound flat rate,

the publishers protested against this increase and advocated a zone system. Now, since the zone system has been enacted, they are protesting against that and claiming that the flat rate should be applied. Again, when Maj. Stahlman, of the Nashville Banner, was before the Senate committee, he claimed that the charges provided in the zone law were excessive in the near-by zones, while in the remote zones they covered but a very small percentage of the cost of transportation. The magazine publishers claimed that the law did not affect the local newspapers, the charges being so slight in the near-by zones, while in the remote zones they were prohibitive. In my judgment, all were mistaken, the charges are not excessive or prohibitive in any zone, and one of the publishers was candid enough to admit that the raise was so small that the additional revenue derived therefrom would not be worth the trouble.

Again, Mr. Speaker, there has been much camouflaging about this matter, a notable example of which was exposed before the Ways and Means Committee last June by the gentleman from Illinois [Mr. HENRY T. RAINEY], a distinguished member of that committee. A paper known as the Woman's Farm Journal, published in St. Louis, for which it was claimed that it had a circulation of 100,000, had just ceased publication, claiming that the zone charges then about to be applied would be prohibitive. It published its farewell editorial, or "swan song," as follows:

This is the last edition of the Woman's Farm Journal. It has had a short life, and under ordinary circumstances would continue as a useful, educational, patriotic publication. But conditions are not ordinary. We are at war, and nearly every unavoidable condition operates against us. We could overcome all difficulties except one. That is a law which goes into effect July 1. The law is made up of provisions that we do not intend to attempt to comply with, and we could not comply with them if we earnestly tried to do so. In this particular instance we will not say what we think. We are at peace with all the world except the enemies of the country. We believe the law which we refer to will be found unworkable and that it will be modified. For the Woman's Farm Journal that will be too late. We prefer a sudden death to a lingering one. Therefore, we will simply say that the Woman's Farm Journal has been put out of business by act of Congress.

The gentleman from Illinois was ready for the occasion with a sample copy of the paper in his pocket, and with a full statement concerning it. From this statement it appeared that the paper was established after the zone law was enacted and went out of business before it went into effect. Only 620 pounds of the paper went through the mails in three months, the postal charges upon which, at the rate of 1 cent per pound, could not have exceeded $6.20 during that time even if every copy had gone beyond the limits of St. Louis County. The paper contained but one advertisement—that of the Conroy Piano Co.—for which it claimed to have received $40. As the zone law does not apply to any paper or magazine unless more than 5 per cent of it is devoted to advertising, this paper would not have been subject to this law at all. On account of this exposition made by the gentleman from Illinois [Mr. HENRY T. RAINEY] the "propaganders" have doubtless been deprived of making further use of this case. Doubtless a booklet would have been issued upon it but for his timely interference.

A copyrighted article published a few weeks ago makes the claim that, because of the campaign made by the publishers, 59 Members of the Sixty-fifth Congress who voted for the zone law failed of reelection. If this claim be true, it is but another reason why the tremendous political power of the recipients of this great subsidy should be curbed. Each State or district should have the right to select its own Representatives, who should not be required to submit their candidacies to a combine of persons perhaps 2,000 miles away who are interested in a share of a nearly $100,000,000 annual subsidy paid by the people.

Mr. Speaker, some of the great publishers have been proceeding upon the theory that with their "big stick" they can force Congress to do their bidding. Those who have stood out for the interests of the people have been maligned and misrepresented in every way possible. The gentleman from North Carolina [Mr. KITCHIN], "the latchet of whose shoes" his calumniators are "unworthy to stoop down and unloose," has been the especial object of their spite. Failing in their purpose, they have given the assurance that he should no longer suffer at their hands if he would only give his consent to a repeal or even postponement of the zone law. In fact, they were willing not only to quit maligning him but to boost him as no other man has ever been boosted, even to the extent of "making him the biggest man in America."

Although they set him upon a pinnacle and tempted him as, with one exception, perhaps, none other has ever been tempted, following an illustrious example he was callous to their blandishments, evidently "choosing rather to suffer affliction with the people of God than to enjoy the pleasures of sin for a season."

Mr. Speaker, we see much in the papers to the effect that the pending revenue bill as amended is an abandonment of the "zone" system. Such is not the case. It reduces the charges, but the "zone" feature is not only retained in the bill as it now stands but it is even extended to include reading matter as well as advertising matter. The "propaganders" who have written so many theses in opposition to the "zone" feature on advertising, claiming that a great principle was involved in it, are now giving their approval of the pending bill with the "zone" feature not only retained upon advertising matter but also extending to the literary portion. This simply shows their inconsistency. If the zone feature is wrong on advertising matter, it is doubly wrong if it is also applied to the reading matter.

As an illustration of the workings of the low flat rate on second-class mail under the act of 1885 I will call attention to the enormous growth of this class and the corresponding increase in the loss to the Government. When the flat rate went into effect we handled about 60,000,000 pounds.

In 1890 it was, in round numbers, 200,000,000 pounds; in 1900, 450,000,000 pounds; in 1910, 873,000,000 pounds; in 1917, 1,200,000,000 pounds; in 1918, 1,220,709,355 pounds.

The estimated loss to the Government in 1885 was $4,000,000; in 1890, $12,000,000; in 1900, $27,000,000; in 1910, $52,000,000; in 1917, $72,000,000; in 1918, $85,879,654.

The department estimates the total loss of the last six years at $500,438,224. Is it not time to begin to consider this question seriously? It is already a tax of nearly $1 per capita on every man, woman, and child in the country. But, Mr. Speaker, this tax is paid by those who send letters through the mails and is not levied as a per capita tax. Every time a letter has been mailed 1 cent of the cost of the postage stamp went to the publishers, and but for this letters would long ago have been subject to a charge of only 1 cent in postage.

LETTER TO CHARLES JOHNSON POST.

WASHINGTON, D. C., *September 17, 1918.*

MR. CHARLES JOHNSON POST,
Director Publishers' Advisory Board, New York City.

DEAR SIR: Your letter of August 29 is before me and gives me my first information that my recent letter to Mrs. N. Goettmann, of Byers, Tex., had, at my request, been forwarded to you for reply.

I wrote Mrs. Goettmann in reply to a communication received from her in regard to the postal "zone" charges on second-class mail. I suggested in the letter that she had been made the innocent victim of a most "pernicious propaganda," sent out by a combination of big publishers, and requested that in the event she should desire to submit my letter to those who had sent her the propaganda that caused her to write me I would be pleased to be furnished with their reply. As you, without being accused, acknowledge to being the one so referred to, I will not take issue with you on that score.

I must admit that I was somewhat surprised at your letter, not only on account of this admission but also on account of other statements made, as well as from your manner and tone of expression. Having referred to the copy of my letter, I find nothing in it calculated to offend anyone. Then why you should have used two pages of vituperative and opprobrious language in reply can not be accounted for upon any other theory than that of a self-consciousness that your contention was not sustained by reason.

I stated in my letter to Mrs. Goettmann that Congress had not increased the postage on second-class mail from 50 to 900 per cent as stated in the printed "propaganda" sent her (and of which you now confess you were the author). A 900 per cent raise would be an increase of the postal receipts on that class of mail from $11,883,000 to $113,830,000, or a clear raise of more than $100,000,000 per annum. In speaking of it on the first page of your printed "propaganda" you said:

"This terrific increase means that in thousands of homes hundreds of readers will have to give up reading national periodicals owing to the enormous increase in cost."

You now modify your language in regard to this feature of the bill, which as expressed in your letter is as follows: "The postal 'zone' law does make increases in postage on periodicals of from 50 to 900 per cent." This language conveys a meaning entirely different from that used in your "propaganda." A bill that raises the postage on publications 900 per cent means a raise of more than $100,000,000, while a bill that makes raises of 900 per cent may provide a very small sum of money.

The experts of the Post Office Department estimate that the entire raises provided in the bill for the present year will amount to only $4,900,000, which is less than one-twentieth of a 900 per cent raise. No publisher has disputed these figures, but all have acquiesced and agreed to them. The bill provides for annual increases on advertising matter for a period of four years, but no expert of the department has estimated the ultimate raise to exceed $16,000,000, and the highest raise possible under this law will be less than one-sixth of a 900 per cent raise. You have never attempted to dispute these figures.

When you appeared before the Ways and Means Committee last June you were requested to name a publication that would have its postage raised from 50 to 900 per cent, but you were unable to do so. You did finally admit that the figures used in your propaganda applied to advertisements only. When questioned specifically as to the Ladies' Home Journal, your answer as recorded on page 1415 of the hearings is as follows:

"Nine hundred per cent does not apply to the Ladies' Home Journal, but I represent the trades publications as well, and they are publications that carry an enormous amount of advertising. That is their function, and those publications do carry such rates."

In this connection I will remind you that Iron Age, one of the trade journals embraced in the list which you claim to represent, and which is listed on the reverse side of the paper on which your letter was written, sold a few years ago for a bonus of $1,000,000, as shown in the evidence taken before the Committee on Post Offices and Post Roads in 1914. Another one, the Motor Age, which was capitalized at $30,000,

made a net profit in one year of $40,000, and then sold out for $1,000,000, as disclosed by the hearings before the same committee.

The advertisements in the two trades journals above referred to were carried in the mails at a loss of thousands of dollars to the people, while the publishers made millions out of those advertisements in a very short time. The publications consisted of approximately 80 per cent advertisements camouflaged with 20 per cent reading matter, and you now ask that such bundles of business advertisements be permitted to be carried through the mails at the rate of 1 cent per pound, when it costs the Government 9 cents per pound to handle them, and this special privilege is asked on the theory of their educational value.

You quote from my letter as follows: "The publishers testified here that it (the Saturday Evening Post) averages in weight a fraction less than one-half pound." Then, in commenting upon that you say: "This also is a misstatement, for nowhere have the publishers or publishers' representatives testified to any such thing, and your statement is out of whole cloth." You then further say: "As a matter of fact, the Saturday Evening Post averages slightly less than 1 pound per copy."

You are very positive as to the testimony of the publishers of the Saturday Evening Post, and evidently intentionally disrespectful. After reading the evidence possibly you may not be quite so certain. I quote from page 59 of the hearings before the Committee on Post Offices and Post Roads in the month of February, 1914, the following:

"Mr. SMITH. For instance, we pay 5 cents a copy for the Saturday Evening Post. Now, if we increase the rate 2 cents a pound, what would be the rate?

"Mr. CURTIS. I do not know—probably 6 cents. That is a very awkward and a very inconvenient sum.

"Mr. ROUSE. About what is the average weight?

"Mr. CURTIS. I think a half a pound.

"Mr. COLLINS. It is a trifle less than a half a pound."

Mr. Curtis mentioned in this record is president of the Curtis Publishing Co. and Mr. Collins is its circulating manager. The Saturday Evening Post is published by that company. If your statement is true and they are mistaken as to the weight of the Saturday Evening Post, then it is very evident that the Curtis Co. owes the Government a very large amount of back postage, as it appears that they have been paying on the basis of less than half a pound in weight.

The Curtis Co. publishes the Saturday Evening Post, Ladies' Home Journal, and Country Gentleman, as you as their representative well know. The same publishers testified that they paid the Government $600,000 a year as postage upon these three publications. They also stated that the Saturday Evening Post had a circulation of 2,125,000 and the Ladies' Home Journal of 1,670,000. You stated in your testimony before the Ways and Means Committee that the Ladies' Home Journal averaged 1 pound and 4 ounces in weight, and you state in your letter that the Saturday Evening Post "weighs slightly less than a pound." The weight and circulation of the Country Gentleman is not given.

According to the figures given by you, each monthly issue of the Ladies' Home Journal will weigh 2,087,500 pounds and each weekly issue of the Saturday Evening Post "slightly less" than 2,125,000 pounds. This will give us a total weight for the year of more than 25,000,000 pounds for the Ladies' Home Journal and approximately 110,000,000 pounds for the Saturday Evening Post, or a total of about 135,000,000 pounds a year for the two publications.

The postage at 1 cent per pound would have amounted to approximately $1,350,000 a year. As the Curtis Co. paid less than one-half that amount on all three of the publications—the Country Gentleman in this calculation being simply thrown in for good measure—it is very evident that if your statements are correct the company owes the Government many millions of dollars.

Under the old rate of 1 cent per pound it was in the interest of the Curtis Co. to have their publications admitted to the mails at as light an estimated weight as possible. For the purposes of your "propaganda" it serves your purpose better to have them appear as heavy as possible in order to make it appear that an enormous burden will be heaped upon them by the new law. This conflict in interest possibly accounts for the discrepancy in your statements.

Still, both of you may possibly be correct. Messrs. Curtis and Collins were speaking of the Saturday Evening Post in 1914, while you were speaking of it in 1918. It has doubtless grown considerably since 1914; but if it has, it is on account of increased advertising matter and not increased reading matter. No number, however, contains less than 50 per cent advertising matter. Mr. Curtis also testified that the standard for reading matter was 32 pages, and that when it ran up to 60, 80, or 90 pages it was due to increased advertising. I quote from his testimony on page 51 of the hearings in 1914 the following:

"And here is another thing about advertising—the amount of advertising. This has been brought out several times. Of course, you see it in the trade papers more than in our publications. We have a standard. The Saturday Evening Post standard is 32 pages for a nickel. We can not afford to give more than that, and you will find most of your numbers, you who buy the publication, that they are running from sixty to eighty-odd—84 and sometimes 90 pages. The way that is done, the advertising comes in that we can not accommodate in 32 pages; every 4 pages costs so much, and if there is advertising enough to cover the cost of 4 pages, we add 4 pages; and if there is enough to cover 8, we add 8, 16, and so on; so that we pass that on to the subscriber, who gets so much more for a nickel. But there is also given so much more reading matter. These people complain so much about the reading matter, and they are under the impression that a certain amount of reading matter has been taken away to make space for advertising, whereas, as a matter of fact, the advertising is simply added."

I merely used the Saturday Evening Post as an illustration. So far as my purpose was concerned, the weight was immaterial so long as the ratio of reading and advertising matter was the same. To consider it a pound would serve my purpose equally well.

The purpose of my illustration was to show that the literary portion of a magazine is now actually delivered to the reader at a less cost in postage than it was under the old law. Magazines average 50 per cent reading and 50 per cent advertising matter. Assuming that the Saturday Evening Post weighed half a pound and that the reading and advertising matter was 50–50, then the subscriber received but one-fourth of a pound of reading matter each week, but it required one-half cent to pay the postage on it, for the reason that there was attached to it and inseparably delivered with it one-fourth pound of advertising matter upon which there was no segregation of the postal charges, and in order to get the one he was required to pay the postage on both, assuming your statement to be correct that he pays the charges on it "from cover to cover."

Under the new law the rates on reading and advertising matter have been separated. The magazine publishers have already raised on the price of advertising space sufficiently to cover the increased postage on the advertising matter. Consequently the reader (or the public for him) has only to pay the postage on the reading matter. While the ultimate rate on the reading matter will be 50 per cent higher than it was under the old law, the volume he pays upon will be reduced 100 per cent, which, in effect, is equivalent to a 50 per cent reduction on the postage rates to each subscriber or reader of a magazine. Therefore, no magazine should increase its subscription price on account of the new postal rates; rather, it should be reduced.

You say that I am very bitter against advertising. You have misunderstood me. I am the friend of the advertiser, and believe that you should perform the service for which he pays you. It is for you to say whether or not you have been loyal to him. You admit that the 282 publications you represented before the Ways and Means Committee last summer were dependent almost exclusively upon advertising, yet you recommended that a heavy flat tax be placed upon advertising in lieu of the lighter tax placed upon it by the "zone" postal rates.

It was not to the interest of advertisers for such a tax to be laid, and with a little thought it is not difficult to determine your purpose. The kind of a tax you recommended could not have been paid by the local newspapers and would have resulted in giving the publications with a national circulation a complete monopoly in the advertising field, although this monopoly would have been paid for by the advertisers and by the public.

The lowest rate for advertisements in the Saturday Evening Post before the recent raises was $4,500 per page for each issue, or $234,000 a year. A local paper would not get over $200 a year for running such an advertisement. The tax you recommended was to be applied alike upon all publications. A tax of $10 a week upon such an advertisement would be nothing to the Saturday Evening Post, but no local paper could afford to pay it. Then, with the cheap flat postal rate you recommended, the publication of a national circulation could be delivered in every community as cheaply as the local paper.

You insistently contended that the "zone" charges on advertising was a discrimination against your publications, which were of national circulation, and in favor of the papers of local circulation. I will give a few excerpts from your testimony. On page 1348 of the hearings for June 28, 1918, you are reported saying as follows:

"This postal 'zone' law is a slightly disguised discriminatory tax upon advertising. It discriminates against national periodicals and their advertising pages through postal charges and in favor of publications of local circulation, upon whom is laid not one penny of postal charge or advertising tax.

"The periodical publishers do not oppose an advertising tax, but they do demand that under the constitutional right of equal treatment through legislative enactment that if a tax upon advertising is laid it shall be laid equally upon all publications carrying advertising, and not single out, solely for advertising taxation, those periodicals of national circulation and favor those of local circulation by complete exemption."

Then, on page 1352 is the following:

"Mr. MOORE. I did understand you to suggest a tax on advertising?

"Mr. POST. We did suggest a tax on advertising—an equal tax on all advertising, bearing equally on all forms of advertising, and not discriminate against certain publishers.

"Mr. TREADWAY. Be a little more explicit.

"Mr. POST. I shall be glad to if I know what you have in mind.

"Mr. TREADWAY. You say bear equally on all. Do you mean large and small or the big publications of wide circulation?

"Mr. POST. The publications that carry advertising. All advertising carried in publications should be taxed evenly on the amount of advertising they carry—that is, according to the unit. And billboard advertising should be taxed.

"Mr. TREADWAY. Before you touch the billboard. On space or the wideness of the circulation?

"Mr. POST. On space. Well, I tell you it is absolutely immaterial, because the terms are interchangeable. If you lay it on space, I suppose it is more valuable in one way.

"Mr. HAWLEY. Why not gross receipts on advertising?

"Mr. POST. That is one way.

"Mr. TREADWAY. I want to understand what you mean by equal distribution to all.

"Mr. POST. That is what I want. Equal distribution is simply to have it paid equally by all.

"Mr. GARNER. You favor a flat rate instead of the zone rate?

"Mr. POST. Absolutely."

On page 1424 of the hearings for June 29, 1918, appears the following:

"The CHAIRMAN. You think that is a good answer from your standpoint?

"Mr. POST. It is not complete. Now, then, this law puts a tax, or whatever you choose to call it, on periodicals of national circulation and exempts periodicals of local or comparatively small circulation from any impost whatsoever on their advertising pages, and a discrimination comes in in this law in favor of the periodical having a local circulation. If it is attempted to raise the price on advertising, he can offer a given unit of circulation cheaper, and impost free, to advertisers in his publication than can a publication of general circulation if he attempts to pass that advertising charge on to his advertisers. That is the reason that it can not be done."

Near the bottom of the same page in reply to a question of the chairman you are reported as saying:

"Mr. POST. They can if you will tax all classes of advertising, all classes of publications, on the same basis, and not put a discriminatory tax on papers of large circulation in favor of papers of small circulation."

On pages 1897 and 1898 of the hearings of July 12, 1918, the record shows the following:

"Mr. LONGWORTH. Mr. Post, I do not know whether I got the statement correctly. I have just come in. Did you say that the New York Tribune was the only newspaper that advocated the zone system?

"Mr. POST. No; my recollection is that I said it was the only newspaper in New York. That was my statement.

"Mr. LONGWORTH. I did not know how broad your statement was.

"Mr. POST. Oh, no; because I can tell you that there are 15,000 papers of very local circulation which think that the postal-zone law is a grand thing, because it is going to give them discrimination for their own advertisements as against periodicals, and who state that with perfect, absolute frankness. I would like to read that, because it is perfectly naïve.

"Mr. GARNER. Just to be perfectly fair, all of these papers advocating the zone system do not advocate it on that ground.

"Mr. POST. I think that is a fair statement.

"Mr. GARNER. Many of them advocate it on the ground that in fair dealing and justice and equity with the American people no busi-

ness in this country ought to be subsidized; that no business ought to lean on the entire people for its prosperity; and you, by your argument, and these gentlemen this morning, have shown that you are leaning on the Government and the people, because if the Government should collect from you what it costs the Government to furnish these facilities for the transportaion of your publications, you would not be quite so prosperous as you are now."

Practically the whole of page 1899 is along this line, and then on page 1900 is the following:

"Mr. CRISP. I unfortunately did not hear all your former testimony, and you may have answered this question: Assuming that Congress feels like there should be some increase made in second-class postage rates, which would you prefer, a flat rate with a tax on all advertising, or a zone rate, as is now the law?

"Mr. POST. A flat tax of any kind. The objection to the zone rate is that it is a discriminatory rate against periodicals of national circulation, and their advertising pages or columns, in favor of periodicals, weeklies, or dailies of comparatively local circulation who, as this paper from which I have read very plainly indicates, will be able to make a less charge for their advertising or subscriptions for the periodicals they name."

Mr. Neal, the treasurer of your propaganda fund, and who was placed upon the witness stand by you on July 12, even opposed the free-in-county circulation given to the local papers. His language as recorded on page 1860 of the hearings of July 12, 1918, is as follows:

"Mr. NEAL. Of course, you know the Government does carry free county mail at the present time. I do not know the principles upon which that action is based. I assume that it is considered that the country newspapers are of sufficient value to the county residents to make it easy for him to get it in the county. But I have never favored that absolutely free rate, personally. I speak now only in my individual capacity. I believe that a nominal charge should be made, but I believe, also—and in this I am stating the position of my organization—that whatever charge is made should be on a flat-rate basis."

Mr. Neal follows this up on page 1861, and also on page 1871 of the hearings. Mr. Collins, of the Curtis Co., represented by you, also opposed giving the local papers free-in-county mailing privileges. I quote from his testimony before the Committee on Post Offices and Post Roads in February, 1914, on page 63, the following:

"The CHAIRMAN. Right there, while you are on that county-paper business. Do you think that ought not to be free?

"Mr. COLLINS. I think not; no, sir. Mr. Hughes, the chairman of the House committee, stated he did not think it ought to be free, and I think that is quite generally the opinion of the people who have looked into it.

"The CHAIRMAN. That it ought not to be free?

"Mr. COLLINS. That it ought not to be free."

Mr. Collins further criticized the free-in-county to the local papers in his testimony on pages 64 and 65 of the hearings.

This testimony proves conclusively that your real purpose is to put the local papers out of competition with yours in the advertising field, in order that you might fall heir to the whole of it. The periodicals you represent are carried through the mails an average distance of 1,200 miles, while newspapers are carried an average of 255 miles. As this average includes all the big dailies, the average of the country paper would probably be less than 100 miles. Still you demand the right to transport your advertisements from New York to Texas at Government expense for the same flat rate the local Texas papers would pay, in order that you might compete for business that of right should belong to those local papers. Under this system, your publications have been reaping millions, while the local papers are struggling for a bare existence. In this connection it should be borne in mind that those local papers are continually engaged in the upbuilding of their respective communities, and do advertising free of cost, that if carried in your publications would cost thousands of dollars. Your publications do nothing for the improvement of any particular community in which they circulate.

You state that my letter contains so many inaccuracies that it ought to be submitted to the Ways and Means Committee. In reply will say that the manner in which that committee handled your propaganda embraced in the little handbook entitled "Readers' Defense League" shows that its members are most competent to deal with such questions. As the incident seems to be fresh in your memory, it is evident that you have been impressed with the ability of that most important committee.

You are very much mistaken in assuming that Mr. KITCHIN admitted that the postage on the reading matter of magazines would be greater to the people of Texas than of New York and other eastern places. The hearings do not show anything of the kind. You know very well that the reading matter is under a flat rate in the new law, and is the same all over the United States.

Paragraph (4) of your letter contains the following:

"You state in conclusion and as an argument that the present postage charge on schoolbooks and Bibles—under post-office regulations and resulting from the laws passed by Congress itself—is excessive."

Permit me to say in reply that my letter contained no statement to that effect when it passed into your possession. I have not seen it since, and can only take your word as to its present contents. The carbon copy in my possession is silent upon that point. However, under the old law Bibles and schoolbooks were under the "zone" system and given a rate of $100 a ton from New York to San Francisco. At the same time many millions of pounds of advertising matter carried in the periodicals you represent, and consisting principally of such things as advertisements of talcum powder, swan down, tooth paste, cigarettes, and Pears soap, on account of their supposed superior educational value, were given a rate of only $20 per ton.

Not only were those advertisements given that low rate to San Francisco, but after reaching the Golden Gate they were taken for an 8,000-mile sea voyage without additional charge in order that they might take the place of schoolbooks in the education of the young Igorots and used instead of Bibles in the conversion of the inhabitants of the Sulu Archipelago. Under the new law, which you condemn (and for the defeat of which the undisputed evidence before the Ways and Means Committee shows that you expended more than $26,000 on your propaganda), the educational and civilizing value of schoolbooks and Bibles is recognized, and the ultimate rate upon them to the eighth zone will be less than that on advertising matter.

On pages 12 and 13 of the little booklet you sent out you give quotations from President Wilson at the time he was governor of New Jersey. You placed them under the heading: "What President Wilson Thought of the Vicious 'Zone' System." Yet, in all the language quoted, the "zone" system is not mentioned. I find that the principal postal legislation under consideration at the time was the proposed flat increase from 1 to 2 cents per pound, as recommended by the Hughes commission. By placing President Wilson's language under false headlines you doubtless deceived a great many people temporarily.

If President Wilson was opposed to the "zone" system, as you state in the headlines, there is certainly nothing to indicate it in the language quoted. In any event the present "zone" system was not in contemplation at that time. This law puts nothing under the "zone" system except that portion which has been commercialized, and in this respect is entirely different from any other "zone" law ever enacted, and not subject to the criticisms that have been heretofore made of putting reading matter under zone rates.

You stated in your propaganda that Lincoln abolished the "zone" system as applied to second-class mail in 1863. You also repeated this in your letter to me. In your testimony before the Ways and Means Committee last June you labored for half a day in your efforts to show that Washington, Lincoln, and President Wilson were all opposed to the "zone" system. You finally admitted that the only evidence you had as to Mr. Lincoln was the mere fact that he signed the bill abolishing it, which you said was sufficient evidence that he was opposed to it. You were then reminded that President Wilson signed the bill which reestablished it, but you contended that the rule would not work both ways.

Now, all this claim about Washington and Lincoln is really amusing to anyone who will go to the trouble to look up the history of the question. Washington is really the father of the "zone" system for second-class mail. It was established under his administration in 1792, when he signed the first act of Congress that placed magazines and newspapers under a "zone" system of postal charges, in which the then limited area served by mail was divided into two zones—one under, the other over 100 miles. In the act of May 8, 1794, he extended the system, creating a third zone for magazines as contradistinguished from newspapers. By this act he recognized that magazines were not entitled to the same mailing privileges that should be accorded to newspapers, a discrimination against the class of publications you represent, that is not made in the present law, of which you complain.

As to Mr. Lincoln, history fails to show that he ever had anything to do with the question of the "zone" system as applied to second-class mail. There is no record that he either advocated or condemned it, nor did he ever sign any law abolishing it, as claimed by you. The act of 1863, of which you speak, did nothing more with second-class mail than to slightly reduce the rates, that class having been taken out of the "zone" system nine years before Mr. Lincoln was inaugurated. The act of March 3, 1851, seems to be the last law regulating the rates by zones on second-class matter, and these zones were abolished by the act of August 30, 1852, when Mr. Fillmore was President.

Mr. Lincoln's administration was during a period when the most bitter sectional feeling prevailed, and whilst I am from the section where the feeling against him was the most bitter, yet, in behalf of his memory, I respectfully submit that he is not guilty of the act with which you charge him. I am,

Yours, very truly,

J. J. MANSFIELD.

Act of March 4, 1917, Granting Pensions to Certain Texas Volunteers Who Defended the Frontier of Texas.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 20, 1919.

Mr. BLANTON. Mr. Speaker, the act of March 4, 1917, granting pensions, among others, to certain Texas volunteers and surviving widows of such volunteers who defended the frontier of Texas against certain Indian depredations, provides:

That when there is no record of service or payment for same in the War Department or Treasury Department the applicant may establish the service by satisfactory evidence from the muster rolls on file in the several State or Territorial archives.

Unfortunately for Texas, when the State capitol burned a number of years ago some of these particular muster rolls and evidence establishing this service were destroyed by fire. However, such rolls and evidence which survived the fire from time to time during the past eight months have been sent to the Pension Department here in Washington by the adjutant general of Texas for direct inspection.

Commissioner Saltzgaber lately appointed a special committee of experts out of the Pension Department to pass on this evidence, and such committee has filed its report, showing the particular organizations in Texas which come within the provisions of the act of March 4, 1917, and which do not, and the reasons therefor, as follows:

REPORT OF COMMITTEE TO HON. G. M. SALTZGABER, COMMISSIONER, BUREAU OF PENSIONS.

Mr. COMMISSIONER: In compliance with your request of the 31st ultimo, your committee has considered the pensionable status under the act of March 4, 1917, of the surviving officers and enlisted men of the Texas volunteers who served in defense of the frontier of that State against Indian depredations from January 1, 1859, to January 1, 1861, inclusive, and from 1866 to 1877, inclusive, conclusions being based upon examination of the different muster rolls, reports from the Auditor for the War Department, and historical facts gleaned from the old papers accompanying said muster rolls and the history of the State of Texas.

Following will be found a detailed statement of the service of the various organizations, classified by years, with the recommendation of your committee as to the status for pensionable purposes of each organization:

1859 (prior to November 15).

Rangers (four companies) and mounted volunteers (one company).

Capt. W. R. Henry's company rangers. Mustered in June 19, 1859. State not reimbursed by United States. Recommendation: Reject. The only muster roll on file in the State archives relating to this company fails to show the period of service rendered.

Lieut. William N. P. Martin's company rangers. July 15, 1858, to April 4, 1859. State was not reimbursed by United States. Recommendation: Admit, provided service of 30 days in 1859 is shown.

Capt. John Williams's company rangers. November 2, 1858, to June 16, 1859. State not reimbursed by United States. Recommendation: Withhold action pending determination of character of service in 1859.

Capt. J. S. Ford's second company rangers. November 10, 1858, to May 10, 1859. State was reimbursed by United States. Recommendation: Admit, provided service of 30 days in 1859 is shown. (Pensionable under act of May 30, 1908, also.)

Capt. William G. Tobin's company mounted volunteers. October 18, 1859, to November 3, 1859. State not reimbursed by United States. Recommendation: Reject. Less than 30 days' service.

November, 1859–1860—Cortinas War.

Mounted volunteers (five companies) and rangers (four companies).

Capt. H. W. Berry's company mounted volunteers. November 10, 1859, to December 20, 1859.

First Sergt. A. C. Hill's detachment mounted volunteers. December 30, 1859, to February 1, 1860.

Capt. Andrew Herron's company mounted volunteers. November 18, 1859, to January 1, 1860.

Capt. G. J. Hampton's company mounted volunteers. November 26, 1859, to January 1, 1860.

Capt. Peter Tomlinson's company mounted volunteers. January 2, 1860, to ——.

Lieut. Joseph Walker's company rangers. November 30, 1859, to January 20, 1860.

Capt. Charles Lovenskiold's company rangers (Walker mounted rifles). November 22, 1859, to ——.

Capt. John Donelson's company rangers. November 5, 1859, to December 10, 1859.

Capt. John S. Ford's third company rangers. January 20, 1860, to May 17, 1860.

Recommendation: Reject. Service wholly against Mexican marauders. For history "Cortinas War," see Wooten's History of Texas, volume 2, page 351.

1860.

Minute men (11 companies) and mounted rangers (12 companies).

Lieut. Lon Price's company minute men. March 20, 1860, to June 19, 1860.

Lieut. James H. Brown's company minute men. April 5, 1860, to June 6, 1860.

Lieut. F. B. Gentry's detachment minute men. March 20, 1860, to June 20, 1860.

Lieut. Moses Hughes's company minute men. March 21, 1860, to June 24, 1860.

Lieut. Stephen F. Jones's detachment minute men. March 26, 1860, to August 29, 1860.

Lieut. F. W. Fauntleroy's detachment minute men. March 16, 1860, to —— (90 days' service).

Lieut. W. Charles Lewis's detachment minute men. April 4, 1860, to June 15, 1860.

Lieut. John Scanland's detachment minute men. April 7, 1860, to June 6, 1860. State not reimbursed by United States.

Recommendation: Admit. Rolls show service against Indians.

Lieut. Allison Nelson's company minute men. March 12, 1860, to ——. State not reimbursed by United States. Recommendation: Reject. Only muster roll relating to company on file in State archives fails to show period of service.

Lieut. W. Riley Wood's company minute men. March 5, 1860, to June 4, 1860.

Lieut. John H. Cochran's detachment minute men. March 27, 1860, to May 27, 1860. State not reimbursed by United States.

Recommendation: Withhold action pending determination of character of service.

Capt. Ed. Burleson's company mounted rangers. January 30, 1860, to September 7, 1860.

Capt. William M. Wood's company mounted rangers. April 10, 1860, to October 16, 1860.

Capt. Nicholas H. Darnell's company mounted rangers. April 14, 1860, to August 13, 1860.

Capt. T. J. Johnson's company mounted rangers. April 21, 1860, to November 10, 1860.

There is also a field and staff roll of Col. M. T. Johnson's regiment mounted rangers. March 17, 1860, to January 1, 1861.

State not reimbursed by United States.

Recommendation: Admit. Rolls show service against Indians.

Capt. W. C. Dalrymple's company mounted rangers. January 14, 1860, to October 13, 1860.

Lieut. Robert M. White's company mounted rangers. February 20, 1860, to June 29, 1860.

Capt. John H. Conner's company mounted rangers. January 20, 1860, to May 5, 1860.

Lieut. Robert Ballantyne's company mounted rangers. March 29, 1860, to July 3, 1860.

State not reimbursed by United States.

Recommendation: Withhold action pending determination of character of service.

Capt. L. S. Ross's company mounted rangers. October 17, 1860, to ——.

State not reimbursed by United States. Recommendation: Reject. The only muster roll relating to this company on file in State archives fails to show period of service.

Capt. John Salmon's detachment mounted rangers. April 12, 1860, to May 12, 1860.

Capt. G. S. Fitzhugh's company mounted rangers. 1860.

Lieut. Erasmus Frandtzen's detachment mounted rangers. March 24, 1860, to June 19, 1860.

State not reimbursed by United States.

Recommendation: Reject. No muster rolls relating to above companies on file in State archives.

1865–1866.

Minute men (2 companies).

Capt. L. L. Tackitt's first company minute men. October 20, 1865, to June 22, 1866. (Note.—Auditor reports Ind Sur. 13376, L. L. Tackitt (captain) last paid to include Jan. 23, 1866.)

Capt. John Teague's company minute men. October 13, 1865, to ——. (Note.—Auditor reports company paid for 25 days' service from Oct. 20, 1865, only.)

Recommendation: Reject. Actual service in 1866 for which State was reimbursed by United States was less than 30 days.

August, 1870, to June, 1871.

Frontier forces (14 companies).

Capt. Franklin Jones's Company A. August 25, 1870, to November 11, 1870.

Capt. A. H. Cox's Company B. September 8, 1870, to May 31, 1871.

Capt. John W. Sansom's Company C. August 25, 1870, to May 31, 1871.

Capt. John R. Kelso's Company D. September 10, 1870, to February 2, 1871.

Capt. H. J. Richars's Company E. September 9, 1870, to June 15, 1871.

Capt. D. P. Baker's Company F. November 5, 1870, to June 15, 1871.

Capt. C. G. Falcon's Company G. October 8, 1870, to December 31, 1870 (Lieut. Heinemann commanding).

Capt. Bland Chamberlain's Company H. November 15, 1870, to February 28, 1871.

Capt. James M. Hunter's Company I (substitute Lieut. W. W. Jones's Company). September 12, 1870, to January 24, 1871.

Capt. Jacob M. Harrell's Company K. September 16, 1870, to February 20, 1871.

Capt. H. R. Von Biberstein's Company L (became Company G, Jan. 1, 1871). October 10, 1870, to May 31, 1871.

Capt. Gregorio Garcia's Company N (became Company D, Mar. 1, 1871). September 1, 1870, to June 15, 1871.

Capt. Peter Kleid's Company O (became Company H, Mar. 1, 1871). October 31, 1870, to May 31, 1871.

Capt. James M. Swisher's Company P. September 6, 1870, to February 6, 1871.

State was reimbursed by United States.

Recommendation: Admit. Force was raised for the protection of the frontier under act of State legislature approved June 13, 1870, "for the purpose of following and chastising any marauding bands of hostile Indians, or for the purpose of carrying out any other measures that may contribute to the better security of the frontier."

January, 1871.

State Guards (one company).

Capt. E. H. Napier's Company H. January 10, 1871, to January 24, 1871. Recommendation: Reject. Less than 30 days' service.

1871 (October and November).

Provisional State Troops (five companies).

Capt. Samuel J. Williams's Company A (detachment). October 9, 1871, to November 13, 1871.

Capt. John D. Wood's Company. October 9, 1871, to November 13, 1871.

Lieut. Joseph C. Fisher's Company C, Third Regiment. October 9, 1871, to November 18, 1871.

State not reimbursed by United States.

Recommendation: Withhold action in these three companies pending determination of character of services rendered.

Capt. James Snowball's Company. October 13, 1871, to October 20, 1871.

Col. A. B. Hall's detachment. October 13, 1871, to October 20, 1871.

State not reimbursed by United States.

Recommendation: Reject. Less than 30 days' service rendered by these two companies.

1872–1874.

Minute men (23 companies).

Company A, Blanco County. 1872–73.
Company B, Wise County. March 2, 1872–October 31, 1873.
Company B, Kendall County. 1872–1874.
Company D, Comanche County. 1872–1874.
Company E, Kerr County. 1872–1874.
Company F, Gillespie County. 1872–1874.
Company G, Brown County. 1872–1874.
Company I, Cooke County. 1872–73.
Company K, Bandera County. 1872–73.
Company L, Coleman County. 1872–1874.
Company M, Lampasas County. 1872–1874.
Company N, San Saba County. 1872–1874.
Company O, Burnet County. 1872–73.
Company P, Parker County. 1872–73.
Company Q, Llano County. 1872–1874.
Company R, Mason County. 1872–1874.
Company S, Jack County. 1872–73.
Company T, Palo Pinto County. 1872–73.
Company U, Montague County. 1872–73.
Company V, Medina County. 1872–73.
Company X, Maverick County. 1872–73.
Company Z, Erath County. 1872–1874.
Jones's company, No. 4, Callahan County. 1873–74.

State was reimbursed by United States.

Recommendation: Admit. Organized under act of State legislature of November 25, 1871, "for the protection of the frontier from the raids of Indians and other marauding parties." (Amended by act of June 2, 1873.)

Note: Nineteen rolls show service against Indians, and while rolls of the other four companies fail to show service against Indians, said companies were raised in counties adjoining those in which Indians shown active.

November, 1873–74.

Rangers (8 companies).

Capt. W. C. McAdams's company. Palo Pinto County Rangers. December 13, 1873, to April 13, 1874.

Capt. W. L. Hunter's company. Parker County Rangers. December 24, 1873, to March 29, 1874.

Capt. G. W. Campbell's company, Montague County Rangers. December 13, 1873, to February 13, 1874.

Capt. M. R. Green's company, Comanche County Rangers. January 17, 1874, to February 17, 1874.

Capt. J. G. Connell's Company C, Brown and San Saba County Rangers. January 6, 1874, to March 6, 1874.

Capt. A. C. Tackitt's company, Young County Rangers. January 6, 1874, to February 14, 1874.

Capt. S. W. Eastin's Company, Jack County Rangers. December 3, 1873, to April 3, 1874.

Capt. G. W. Stevens's Company, Wise County Rangers. November 26, 1873, to March 26, 1874.

State was reimbursed by United States.

Recommendation: Withhold action pending determination of character of service rendered.

September, 1874—(Indianola Expedition.)

Galveston County Troops (two companies).

Capt. Nicholas Weekes's Company Lone Star Rifles Militia. September 21, 1874, to September 27, 1874.

Lieut. J. M. Forshey's Company, Washington Guards. September 21, 1874, to September 27, 1874.

Recommendation: Reject. Service less than 30 days, and not in defense of the frontier against Indian depredations.

(Companies were acting as escort to one "Bill Taylor" to attend trial at Indianola, Tex.)

1874–1878.

Frontier Battalion (six companies).

Company A, May 25, 1874, to February 28, 1878. Commanding officers: Capt. J. R. Waller, May 25, 1874, to October 4, 1874; Lieut. J. W. Millican, October 5, 1874, to December 23, 1874; Lieut. J. T. Wilson, December 23, 1874, to April 30, 1875; Lieut. Ira Long, September 1, 1875, to August 31, 1876; Lieut. J. M. Denton, September 1, 1876, to November 30, 1876; Capt. Neal Coldwell, December 1, 1876, to February 28, 1878.

Company B, May 16, 1874, to February 28, 1878. Commanding officers: Capt. G. W. Stevens, May 16, 1874, to December 26, 1874; Lieut. Ira Long, December 26, 1874, to June 10, 1875; Lieut. G. W. Stevens, June 10, 1875, to September 1, 1875; Lieut. G. H. Hamilton, September 1, 1875, to September 30, 1876; Lieut. G. W. Campbell, October 1, 1876, to February 28, 1878.

Company S, May 5, 1874, to ———, 1878. Commanding officers: Capt. E. F. Ikard, May 5, 1874 to December 29, 1874; Lieut. L. P. Beavert, December 29, 1874, to March 31, 1875; Capt. J. C. Sparks, September 21, 1876, to November 30, 1877; Lieut. G. W. Arrington, November 30, 1877, to ———, 1878.

Company D, May 25, 1874, to February 28, 1878. Commanding officers: Capt. C. R. Perry, May 25, 1874, to December 9, 1874; Lieut. D. W. Roberts, December 9, 1874, to August 31, 1876; Lieut. F. M. Moore, September 1, 1876, to September 23, 1877; Capt. D. W. Roberts, September 29, 1877, to February 28, 1878.

Company E, May 5, 1874, to ——, 1878. Commanding officers: Capt. W. J. Maltby, May 5, 1874, to December 13, 1874; Lieut. B. S. Foster, December 13, 1874, to June 10, 1877; Lieut. N. O. Reynolds, September 1, 1877, to ——, 1878.

Company F, June 4, 1874, to February 28, 1878. Commanding officers: Capt. Neal Coldwell, June 4, 1874, to August 31, 1875; Lieut. Neal Coldwell, August 31, 1875, to August 31, 1876; Lieut. Pat Dolan, September 1, 1876, to ——, 1878.

State was reimbursed by United States.

Recommendation: Admit. Organized under act of State legislature approved June 10, 1874, "For the protection of the frontier of the State of Texas against the invasion of hostile Indians, Mexicans, or other marauding or thieving parties," and the State was reimbursed by the United States for the actual period of service rendered.

Counties in which these companies were organized were not on the Mexican border and, moreover, as a matter of history, were subjected to Indian raids from 1874 to 1877, inclusive. (See Wooten's History of Texas, vol. 1, pp. 739, 740, and 782; also vol. 2, pp. 357 to 359, inclusive.)

1874–1878.

Volunteer Militia, subsequently Special State Troops (two companies).

Capt. L. H. McNelly's Washington County Company Volunteer Militia. ——, 1874, to May 31, 1876. Became Capt. L. H. McNelly's Company Special State Troops July 26, 1876, to January 31, 1877. State was reimbursed by United States.

Recommendation: Reject. Entire service of McNelly's company was rendered against Mexican bandits, cattle thieves, and robbers, as shown by Wooten's History of Texas, volume 2, pages 350, 358, and 359; also by the statements of the following claimants: C. T. Allen, Ind. Sur. 11278; W. F. Alderson, Ind. Sur. 13775; C. M. Littleton, Ind. Sur. 14240.

Lieut. J. Lee Hall's Company Special State Troops. January, 1877, to ——, 1878. State not reimbursed by United States. Recommendation: Reject. Auditor reports State not reimbursed for service of this company, for reason "no evidence of active service in the field."

1877–1878.

El Paso trouble.

Lieut. J. B. Tays's detachment, Company C, Volunteer Battalion, November 10, 1877, to February, 1878. State not reimbursed by United States for service during above period. Recommendation: Reject. Service was not rendered in defense of the frontier against Indian depredations. (See Ex. Doc. 93, 45th Cong., 2d sess., for history of service of this company.)

Where the State has been reimbursed by the United States for the service rendered the period for which the individual was paid, as shown by the records of the office of the Auditor for the War Department, will be accepted as the period of his actual service.

Respectfully submitted.

A. J. WAGSTAFF.
S. A. CUDDY.
CALVIN NEILSON.
E. J. HOY.
E. QUACKENBUSH.

Mr. Speaker, it will be noted that the provisions of this act are not broad enough to include the mounted volunteers and rangers of 1859 and 1860 who served against Mexicans and not Indians; Tackitt's Company of Minute Men, who were paid for more than 30 days' service in 1865—a year not covered by the provisions of the act—but for less than 30 days in 1866; and McNelly's Washington County Company, which served against Mexican bandits, cattle thieves, and robbers, and not against Indians.

I sincerely hope that this Congress will so amend this act as to include the above, and also to permit of parol proof to establish service where the muster rolls have been destroyed by fire.

That portion of the act relating to Texas is as follows:

Be it enacted, etc., That the provisions, limitations, and benefits of an act entitled "An act granting pensions to survivors of the Indian wars"—

And so forth—

be, and the same are hereby, extended from the date of the passage of this act to the surviving officers and enlisted men of the Texas volunteers who served in defense of the frontier of that State against Indian depredations from January 1, 1859, to January 1, 1861, inclusive, and from the year 1866 to the year 1877, inclusive; * * * the campaign against the Kiowas, Comanches, and Cheyennes in Kansas, Colorado, Texas, Indian Territory, and New Mexico in 1874 and 1875; * * * and also to include the surviving widows of said officers and enlisted men who shall have married said survivor prior to the passage of this act: *Provided*, That such widows have not remarried: *Provided further*, That this act shall extend also to the surviving officers and enlisted men of the organization known as Tyler's Rangers, recruited at Black Hawk, Colo., 1864, for services against the Indians: *Provided further*, That if any certain one of the said campaigns did not cover a period of 30 days the provisions of this act shall apply to those who served during the entire period of said campaign: *Provided further*, That where there is no record of enlistment or muster into the service of the United States in any of the wars mentioned in this act, the record of pay by the United States shall be accepted as full and satisfactory proof of such enlistment and service: *And provided further*, That all contracts heretofore made between the beneficiaries under this act and pension attorneys and claim agents are hereby declared null and void.

SEC. 2. That the period of service performed by beneficiaries under this act shall be determined by reports from the records of the War Department, where there is such a record, and by the reports from the records of the Treasury Department showing payment by the United States where there is no record of regular enlistment or muster into the United States military service: *Provided*, That when there is no record of service or payment for same in the War Department or Treasury Department, the applicant may establish the service by satisfactory evidence from the muster rolls on file in the several State or Territorial archives: *And provided further*, That the want of a certificate of discharge shall not deprive any applicant of the benefits of this act.

Consular and Diplomatic Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. GEORGE EDMUND FOSS,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 22, 1919.

Mr. FOSS. Mr. Speaker, I greatly regret that the House did not see fit to adopt the rule making in order that provision in this bill which provides for the purchase or erection of suitable embassies and legation buildings in the principal capitals of the world and consular buildings at the principal ports of China.

Some years ago we entered upon the policy of building such buildings. The distinguished governor of my State, Gov. Lowden, when he was a Member of the House, introduced and was instrumental in securing the passage of an act known as the Lowden Act, which became a law on the 17th of February, 1911, during the short session of the Sixty-first Congress. This bill authorized the Secretary of State to acquire in foreign countries sites and buildings for the use of diplomatic and consular establishments of the United States and to alter, repair, and furnish such buildings. It provided that not to exceed $500,000 shall be expended for these purposes in any one year and that not to exceed $150,000 shall be expended in any one place. Now, this bill passed the House on the 17th day of February, 1911, under a suspension of the rules, which necessitates a two-thirds vote. The vote was more than this, however, the ayes being 141 and the noes 39. While there was a demand for the yeas and nays, yet there were not a sufficient number of Members opposed to it to secure such a vote.

All this clearly indicates that the House was exceedingly favorable at that time toward the establishment of diplomatic and consular buildings, and if it had an opportunity to vote at this time for this provision, after reasonable debate, when all the facts could be brought to the attention of the Members, I feel confident that the provision would carry, because it is a reasonable proposition and in continuation of work already begun. It simply provides that an appropriation of $3,000,000

be expended in the purchase and establishment of embassies in the most important capitals of Europe, with a limitation of $250,000 at each place, but in cities containing a million or more inhabitants the limit of cost shall be $500,000.

This, as it will be seen, modifies the Lowden Act so far as relates to this appropriation of $3,000,000 and allows the establishment of these buildings at an increased cost, inasmuch as it is impossible at a cost of $150,000 at each place to purchase or establish suitable embassies or legations in the principal capitals of Europe. This has been carefully investigated by the State Department, and real estate values have been found to be too high to come within the limitation, which will have to be raised if our country provides its own buildings in the foremost capitals.

Great Britain, France, Italy, Germany, Austria, Spain, and Russia own their embassies in almost all the principal capitals of Europe. Some of the foreign countries, as is well known, have very fine embassies here, and it is the duty of Congress to provide for our ambassadors and ministers in such a way as will comport with the rank and dignity of the country which they represent.

We have been too parsimonious in our appropriations for the Consular and Diplomatic Service. We do not pay our ambassadors enough. We have forced them to pay out most of their salaries in renting suitable residences, which ought to be provided by our own Government. It is safe to say that nearly every ambassador who has gone abroad in recent years has been obliged to spend a great deal more than his salary, and in many cases two or three times as much. It is a singular thing that the salaries of our ambassadors to the countries of Great Britain, France, Germany, and Russia were fixed by law at $17,500 44 years ago by the act of March 3, 1875—copy of which is hereby submitted in a letter addressed to me by the Director of the Consular Service—and has never yet been changed. We have increased the salaries of everybody else that I can recall since then—in some cases more than once. We have increased the salaries of Members of Congress, Federal judges, and Justices of the Supreme Court, the Vice President, and President, but the salaries of our ambassadors to these four great countries remain the same.

No one can afford to take these positions, whatever may be his ability, unless he is a millionaire or a man of large means.

Mr. William J. Bryan, speaking of this condition in our Diplomatic Service, said:

> It is not in harmony with our theory of government to have an important branch of the public service open to rich men only, and that is the case under the present system. No poor man can afford to accept an appointment as an American minister or ambassador to any of the principal countries of Europe, and as the years go by the expenses of the diplomatic residences will become greater as the value of urban property increases. * * * Our Government ought to be in a position to select from the whole citizen body those most competent for the work to be intrusted to them, and it goes without saying that efficiency in public service is not measured by the amount of money which an official has either inherited or accumulated.

Mr. Bryan further says:

> The standing of our Nation abroad demands that our ambassadors and ministers shall live in a style in keeping with our ideas, and extravagance is as offensive as parsimony. By owning its own embassy buildings our Government can regulate the standard of living and entertainment of those who represent it at foreign courts. There is no doubt that our Nation must ultimately come to this plan, and the sooner it adopts it the better.

Mr. Taft, while he was President, in an address which he delivered before the National Board of Trade in 1910, made this statement:

> We boast ourselves a democratic country. We say that there is no place within the gift of the people to which we may not select the most humble inhabitant, providing he be fit to discharge its duty, and yet we have an arrangement which makes it absolutely impossible for anyone but a millionaire to occupy the highest diplomatic posts.
>
> Now, I ask you whether that is consistency; whether it is not the purest kind of demagogy? By demagogy I mean the advancement of an argument which seems to be in favor of democracy, but which, when it actually works out, is in favor of plutocracy.

It should be the immediate duty of Congress to first provide its diplomats and ministers with suitable salaries; and, second, to provide for embassies and legation buildings and consular buildings at important posts.

Diplomacy is just now playing a great and important part in the settlement of the world's condition and advancement, more so than ever before in the history of the human race, and it is exceedingly important that our Government should be generous and liberal enough to maintain our reputation abroad in our Diplomatic and Consular Service upon such a high and dignified plane as will be commensurate with our great interests and our position and influence among the nations.

In conclusion, I desire to call attention to the letter of the Acting Secretary of State to the Secretary of the Treasury, which fully explains our situation:

STATE DEPARTMENT,
Washington, January 5, 1919.

The SECRETARY OF THE TREASURY.

SIR: I have the honor to request that you will transmit to Congress the following item of appropriation:

When the estimates for the appropriation for foreign intercourse for the next fiscal year were being prepared, it was not known how long the war would continue, and thus it did not appear to be of immediate importance to lay before Congress a recommendation in regard to the housing of American diplomatic representatives abroad. Now that an armistice has fortunately been signed and the end of the war is in sight it seems fitting that this subject should be taken up without further delay and consideration be given to the desirability of enhancing the prestige of our diplomatic missions and equipping them for the important work which they will henceforth have to do.

It is well known that for many years the American ambassadors and ministers have been at a wretched disadvantage. Not infrequently there have been no appropriately furnished apartments or houses available. In some capitals it has been impossible to find any apartments or houses, furnished or unfurnished, suitable for the residence of a diplomatic representative. Frequently, if suitable quarters have been found they have been situated in a part of the city remote from the residences of other diplomatic representatives, from the public offices, and from the people with whom close relations must be maintained. Moreover, the finding and fitting and furnishing of suitable quarters has been a great burden both in trouble and expense to the representatives and a great loss to the United States in time that should have been devoted to public duties and the cultivation of proper relations with the people of the countries to which the representatives were accredited. Furthermore, the fact that the diplomatic representatives of other nations have been paid larger salaries and enabled to live in dignified and even luxurious residences owned by their Governments has proved a serious embarrassment to the representatives of the United States who have been denied those advantages and have thus suffered in prestige and effectiveness.

In this relation it may be profitable to consider for a moment the manner in which foreign governments have provided for their representatives in this country not only in regard to houses but also in regard to salaries, for the two are closely related, and at the same time to note the contrast with the provision made by the United States for its representatives.

In addition to paying a salary of $50,000 a year, Great Britain very early acquired for her representative a house which has long been one of the landmarks of the National Capital. It is to be regretted that relatively few of the residents of the British capital would know where to find the American Embassy, so frequently has it been changed from house to house with each new ambassador, and yet one-twentieth of 1 per cent of the value of our exports to the United Kingdom for the year 1917 would enable the United States to acquire a most suitable home for its ambassador in London.

France, with a population of approximately 39,000,000, although she at present owns no home in Washington for her ambassador, pays the full rent of a suitable residence and makes an allowance for entertainment expenses and provides a salary of approximately $35,000 a year; but her sister Republic, the United States, notwithstanding its 110,000,000 of population, and enormous wealth, and exports of more than a billion dollars' worth of merchandise to France in 1917, has been unwilling to pay its ambassador to that Republic more than $17,500 a year and to provide a residence for him in the French capital.

Italy, with only 32,000,000 people, is much more generous than the United States, for she not only provides her ambassador in Washington with a residence but also with expenses for entertainment and a salary of $25,000 besides.

The Republics of Argentina and Chile, with populations of approximately 8,500,000 and 4,000,000, respectively, pay their ambassadors in Washington $22,000 a year and provide residences besides, that of the Argentine ambassador being owned by his Government. The American ambassador in none of the foregoing countries is furnished with a residence or entertainment allowances and the salary is only $17,500 a year. In Japan, however, the United States owns the embassy (as it does in Constantinople), but even there the ambassador, with his salary of $17,500, is not so well provided for as the Japanese ambassador in Washington, who receives in salary and allowances $24,000 a year and expenses of entertainment as well as a house. The population of Japan is 56,860,000.

It will be instructive also to compare the provision made by a few foreign Governments for their ministers in Washington with that made by the United States for its ministers abroad. China has long owned a handsome residence for her minister in this city. The United States also owns its legation building in Peking. But the Chinese minister receives a salary of $20,000 a year with allowances for entertainment while the American minister in Peking is paid only $12,000 a year.

Cuba, with a population of 2,600,000, pays her minister in Washington $21,600 a year and has recently erected a very handsome legation building. The United States now owns a legation in Habana, but it pays its minister only $12,000 a year, with no allowances for entertainment. Norway, Sweden, and Denmark all provide their ministers here with residences, although they are not owned by the Governments, and pay salaries of from $12,000 to $20,000 a year, while the United States makes no provision for residences for its ministers in those countries and pays salaries of only $10,000 per annum.

Thus it will be seen that in respect to salary and residence the American diplomatic representatives are, as a rule, at a serious disadvantage with their foreign colleagues. Not only do they suffer loss of time, effort, and money in procuring residences and offices, but they suffer the more serious loss of prestige and dignity through the lack of fixed residences, which results in frequent changes of location and occasionally in enforced residence in unsuitable places, a condition in sharp contrast with that affecting the representatives of other great nations, who have comfortable homes provided by their Governments.

Congress has long since acknowledged the wisdom of acquiring embassy, legation, and consulate buildings and has made occasional appropriations which have resulted in the acquisition of buildings for the embassy in Turkey, the legations in Cuba and Costa Rica, and also for the consulate general at Shanghai. The Lowden Act of February 17, 1911, authorizing the Secretary of State to acquire such sites and buildings as might be appropriated for by Congress, was intended to provide for the systematic acquisition of buildings for the majority of our missions and consulates, but, unfortunately, no progress has been made under the act, owing to the lack of necessary appropriations. The failure to make appropriations under that act

has in the main been due to the provision limiting the expenditure at any one place to $150,000, a sum under present conditions entirely inadequate for the purchase of embassy or legation or even consular premises at any except the small and relatively unimportant capitals. It would be most unwise to make purchases unless the property so acquired should compare well with that owned by other Governments. It can not be presumed, for example, that the people of this country would approve of the purchase of an American embassy building in Paris for $150,000, knowing at the time that the British Government owns there embassy property valued at $1,500,000; Germany, nearly $700,000; Austria-Hungary, perhaps, $1,000,000; and Italy nearly $400,000.

This subject has now become one of great urgency. The United States has emerged from the war with a new place among the nations, a prestige of which she must in the future be very jealous and a responsibility in international affairs to which she must be deeply sensitive. It is believed that no reasonable effort should be spared to advance the one and insure the wise discharge of the other. Indeed the future of this country and the success of its foreign commerce and shipping make it imperative that our prestige and the effectiveness of our diplomacy be kept at the highest possible standard. It must not be overlooked that where diplomacy is successful commerce grows; where diplomacy is inefficient, American commercial enterprises abroad suffer; that great prestige and diplomatic effectiveness go hand in hand, and that we can not have the one without inevitably acquiring the other.

In order to attain these ends, better acquaintance and understanding is fundamental, and the acquisition of suitable buildings for our embassies and legations would be an important step toward that closer acquaintance and understanding; one that would carry conviction to the people of foreign countries of the genuineness of our proffers of friendship. There could hardly be a more appropriate beginning to the work of reconstruction than the prompt adoption of a comprehensive plan for acquiring suitable residences and offices for the diplomatic and consular representatives of this Government abroad.

It is difficult to believe that the people of the United States wish their ambassador in Paris, for example, to be dependent upon his private fortune for a residence in which to represent them. Nor can one feel that the spirit of the United States will much longer be patient with a policy that makes private fortune more important than ability and culture as a primary qualification of American diplomatic representatives. It is believed that if the people of this country were to express their conviction upon this subject they would be found to be in favor of such appropriate and dignified and yet not lavish housing of their representatives everywhere abroad as would clearly place them upon an equality with their foreign colleagues. Nothing less than this would seem consistent with the aims of the people of this country or with the full protection of their material interests.

I strongly recommend, therefore, that during the present session of Congress there be adopted a definite program for the expenditure of a specified sum annually for the acquisition of embassy and legation buildings at the principal capitals of the world and consulate buildings at the principal ports of the Far East, and that the Secretary of State be given authority to acquire, as soon as may advantageously be done, suitable buildings or options upon appropriate sites not in excess of a total expenditure, during the next fiscal year, of $3,000,000. This amount would at least provide the United States with homes for its diplomatic representatives at the capitals of the principal nations with which it has been associated in the war, and would prove not only highly advantageous to American prestige in those capitals, but also a delicate compliment to the nations as well. The amount mentioned would also make possible the acquisition of buildings for the consulates at Canton and perhaps Hankow, China, which are most essential from the standpoint of our present and prospective commercial interests and which, if not procured very soon, will be impossible to obtain at any price. I venture further to suggest that the Lowden Act be so revised that the limitations upon the amount to be expended at any one place may be very considerably raised, or eliminated altogether, in order that the act may be adapted to existing conditions and made to serve the best interests of the country by making possible the acquisition of premises comparing favorably with those owned by other great nations.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

DEPARTMENT OF STATE,
THE DIRECTOR OF THE CONSULAR SERVICE,
Washington, January 21, 1919.

The Hon. GEORGE EDMUND FOSS,
House of Representatives.

MY DEAR MR. FOSS: If you will consult the Revised Statutes of the United States, second edition, 1878, page 293, you will find that section 1675, Revised Statutes, reads, in part, as follows:

"Ambassadors and envoys extraordinary and ministers plenipotentiary shall be entitled to compensation at the rates following, per annum, namely:

"Those to France, Germany, Great Britain, and Russia, each, $17,500.

"Those to Austria, Brazil, China, Italy, Japan, Mexico, and Spain, each, $12,000.

"Those to all other countries, unless where a different compensation is prescribed by law, each, $10,000. * * *."

This section was amended so as to read as above given by the act of March 3, 1875 (18 Stat. L., p. 483).

The Diplomatic and Consular appropriation act of March 1, 1893 (27 Stat L., p. 491), provided that "whenever the President shall be advised that any foreign government is represented, or is about to be represented, in the United States by an ambassador, envoy extraordinary, minister plenipotentiary, minister resident, special envoy, or chargé d'affaires, he is authorized, in his discretion, to direct that the representative of the United States to such government shall bear the same designation. This provision shall in no wise affect the duties, powers, or salary of such representative."

Thereafter, on March 30, 1893, Thomas F. Bayard was appointed ambassador to Great Britain. On April 8, 1893, James B. Eustis, then minister to France, was raised to the rank of ambassador. On September 14, 1893, Theodore Runyon, then minister to Germany, was raised to the rank of ambassador.

On February 11, 1898, our representative to Russia was raised to the rank of ambassador; the one to Mexico was raised to the rank of ambassador on December 8, 1898; the one to Austria-Hungary on May 27, 1902; the one to Italy on October 20, 1903; the one to Brazil on January 13, 1905; and the one to Japan on January 25, 1906.

The Diplomatic and Consular act of March 2, 1909, provides:

"And hereafter no new ambassadorship shall be created unless the same shall be provided for by an act of Congress" (35 Stat. L., p. 672).

Thereafter the act of September 4, 1913 (38 Stat. L., p. 110), authorized the appointment of an ambassador to Spain and fixed his compensation at $17,500. The appointment was made September 15, 1913.

The act of May 6, 1914 (38 Stat. L., p. 378), authorized the appointment of an ambassador to Argentina and Chile and fixed the compensation at $17,500 each.

Very sincerely, yours,

WILBUR J. CARR.

EXTENSION OF REMARKS
OF
HON. JAMES A. GALLIVAN,
OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919.

Mr. GALLIVAN. Mr. Speaker, if there be any fear in the minds of any Members that the proposal in this bill (H. R. 13879) granting a pension of $5,000 per annum to Edith Carow Roosevelt, widow of the late Col. Theodore Roosevelt, is unusual, may I say to the House that it is according to precedent? It has been the custom of Congress ever since the early days of the Republic to honor the memory of departed Presidents by according some substantial recognition to their widows. It is true that the precedents themselves have been singularly varied. Martha Washington lived some two years after the death of her husband, and it does not appear to be of record that a pension was voted in her behalf. However that may be, Congress granted her the privilege of sending her letters without the payment of postage, and that privilege was established in such a manner that succeeding widows have been granted it without question, whether a pension was added or not. It is not easy to glean from the records whether any of the widows ever asked a pension of Congress. It is to be presumed that they did not, but that friends did so in their behalf, whether or not with their knowledge and consent.

I desire to say to the House that the widow of Col. Roosevelt had no knowledge of the introduction of this bill until it appeared in the newspapers of the country. In presenting it I simply followed precedent, and I would like to place before Congress a short story of what has been done in other cases in bygone days.

Louise Catherine Adams, widow of John Quincy Adams, received no pension, but was granted the franking privilege, and the same is true of Dolly Madison, thus following the precedent established in the case of Martha Washington. In these cases the husband had left the Presidency before his death. But William H. Harrison died in office only 31 days after his inauguration, and Congress voted Mrs. Harrison $25,000, representing the President's salary for the current year. A straight pension to the widow was voted first for Mrs. Julia Gardner Tyler in the sum of $5,000, which sum has not been varied since, although not all Presidents' widows have received it. Margaret S., the widow of Zachary Taylor, received only the franking privilege, and then $5,000 was voted as a pension to Sarah Childress Polk, whose husband had succeeded John Tyler in the presidential office. Abraham Lincoln was assassinated while President, and his widow, Mary Todd Lincoln, was voted his year's salary of $25,000, as Mrs. Harrison had been, less any drafts made upon his salary by Mr. Lincoln before his death. In addition, Mrs. Lincoln was voted a pension of $5,000 a year and the franking privilege, the whole representing the largest sum voted to the widow of any President up to that time.

U. S. Grant lived many years after he left the Presidency, but upon his death Julia Dent Grant received $5,000 a year and the franking privilege, which now had come to be regarded as the established allowance for a President's widow. Between the time of Grant and the death of the next President in office the salary of the President had been increased to $50,000 a year, and when James A. Garfield was assassinated and died in 1882 Congress voted Mrs. Lucretia R. Garfield that sum in addition to the usual pension of $5,000 and the franking privilege. Ida S. McKinley, the widow of the third President assassinated in office, received only $5,000 a year and the franking privilege until her death, and she was entitled also to draw the balance of the President's salary from the death of Mr. McKinley in September, 1901, for the remainder of the fiscal year. Pension bills for Mrs. Benjamin Harrison and Mrs. Grover Cleveland were passed by the Senate, but objection to their passage was raised in the House, and, I understand, the bills were withdrawn,

but both widows were allowed free postage. The point was raised at one time that the marriage of Mrs. Cleveland to Prof. Preston in 1912 invalidated her franking privilege, but an examination of the law showed that she was entitled to it until the end of her natural life. The widows of two Vice Presidents also have received money grants from Congress. Mrs. Henry Wilson was voted the Vice President's salary of $10,000, her husband having died in office in 1875, and Mrs. Thomas A. Hendricks received a balance of $8,750 and mileage and stationery allowances to which her husband would have been entitled for one year.

I desire to call the attention of the House to the letter of Hon. Franklin K. Lane, Secretary of the Interior, to whom this bill was referred by the Committee on Pensions. Secretary Lane not only refers to the precedents in matters of this character, but gives excellent reasons why the House should pass this bill:

DEPARTMENT OF THE INTERIOR,
Washington, January 20, 1919.

MY DEAR MR. KEY: I have your letter of January 14, submitting for my consideration H. R. 13879, in which it is proposed to provide a pension of $5,000 per annum for Mrs. Edith Carow Roosevelt and asking that the committee be informed as to "what widows of ex-Presidents of the United States have been allowed pension by means of a special act of Congress and the amounts of the pension in each instance." I find that it has been the pleasure of Congress to provide a pension of $5,000 per year for—

Sarah Childress Polk, widow of James K. Polk.
Julia Gardner Tyler, widow of John Tyler.
Mary Lincoln, widow of Abraham Lincoln.
Julia Dent Grant, widow of U. S. Grant.
Lucretia R. Garfield, widow of James A. Garfield.
Ida S. McKinley, widow of William McKinley.

Your letter also suggests that I am at liberty to make other comment than a mere formal report upon the proposed bill. I would gladly avail myself of such an opportunity if I thought that any word that I could say would add to the strength of the sentiment that urges the passage of this measure. The impress that Theodore Roosevelt's personality has made upon the world does not, however, need emphasis. Whatever his fame as a statesman, it can never outrun his fame as a man. However widely men may differ from him in matters of national policy, this thing men in their hearts would all wish, that their sons might have within them the spirit, the will, the strength, the manliness, the Americanism of Roosevelt. He was made of that rugged and heroic stuff with which legend delights to play. The Idylls and the Sagas and the Iliads have been woven about men of his mold. We may surely expect to see developed a Roosevelt legend, a body of tales that will exalt the physical power and endurance of the man and the boldness of his spirit, his robust capacity for blunt speech, and his hearty comradeship, his live interest in all things living—these will make our boys for the long future proud that they are of his race and his country. And no surer fame than this can come to any man—to live in the hearts of the boys of his land as one whose doings and sayings they would wish to make their own.

Cordially, yours,

FRANKLIN K. LANE.

Hon. JOHN A. KEY,
Chairman Committee on Pensions, House of Representatives.

EXTENSION OF REMARKS
OF
HON. ANDREW J. MONTAGUE,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, January 28, 1919.

Mr. MONTAGUE. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a letter of Chief Justice Taney under date of February 16, 1863, known as his remonstrance against the imposition of an income tax upon judicial salaries, and also the opinion of Attorney General Hoar in relation to the same. I do this for the benefit of confrères of the House and the few lurking lovers of the Constitution throughout the country.

The matter referred to above is as follows:

[Supreme Court of the United States. Extract from the minutes of Tuesday, March 10, 1863.]

ORDER OF COURT.

Ordered, upon the request of the Chief Justice, that the following letter from him to the Secretary of the Treasury be entered on the records of the court:

WASHINGTON, *February 16, 1863.*

SIR: I find that the act of Congress of the last session (July 1, 1862) imposing a tax of 3 per cent on the salaries of all officers in the employment of the United States has been construed in your department to embrace judicial officers, and the amount of the tax has been deducted from the salaries of the judges.

The first section of the third article of the Constitution provides that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish. The judges of both the Supreme and inferior courts shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

The act in question, as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to that extent by the name of a tax it may in the same way be reduced from time to time at the pleasure of the legislature.

The judiciary is one of the three great departments of the Government created and established by the Constitution. Its duties and powers are specifically set forth, and are of a character that requires it to be perfectly independent of the two other departments, and in order to place it beyond the reach and above even the suspicion of any such influence the power to reduce their compensation is expressly withheld from Congress and excepted from their powers of legislation.

Language could not be more plain than that used in the Constitution. It is, moreover, one of its most important and essential provisions. For the articles which limit the powers of the legislative and executive branches of the Government and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a judiciary to uphold and maintain them which was free from every influence, direct or indirect, that might by possibility in times of political excitement warp their judgments.

Upon these grounds I regard an act of Congress retaining in the Treasury a portion of the compensation of the judges as unconstitutional and void; and I should not have troubled you with this letter if there was any mode by which the question could be decided in a judicial proceeding. But all of the judges of the courts of the United States have an interest in the question, and could not therefore with propriety undertake to hear and decide it.

I am, however, not willing to leave it to be inferred from my silence that I admit the right of the Legislature to diminish in this or in any other mode the compensation of the judges when once fixed by law; and my silence would naturally, perhaps necessarily, be looked upon as acquiescence on my part in the power claimed and exercised under this act of Congress, and would be regarded as a precedent, establishing the principle that the Legislature may at its pleasure regulate the salaries of the judges of the courts of the United States, and may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial station under the Constitution, I feel it to be more especially my duty to uphold and maintain the constitutional rights of that department of the Government, and not by any act or word of mine leave it to be supposed that I acquiesce in a measure that displaces it from the independent position assigned to it by the statesmen who framed the Constitution, and in order to guard against any such inference, I present to you this respectful, but firm and decided remonstrance against the authority you have exercised under this act of Congress and request you to place this protest upon the public files of your office as the evidence that I have done everything in my power to preserve and maintain the judicial department in the position and rank in the Government which the Constitution has assigned to it.

I am, sir,
Very respectfully, yours, R. B. TANEY.

Hon. S. P. CHASE,
Secretary of the Treasury.

ATTORNEY GENERAL'S OFFICE,
October 23, 1869.

SIR: Your letter of September 30, 1869, has been received, asking my opinion upon the question "whether the law is constitutional which imposes a tax upon the salary of the President of the United States and upon the judges of the Supreme Court."

I find no law which in express terms imposes a tax upon the salary of either of those officers. But as several of the statutes which provide for the assessment and collection of internal revenue contain provision for taxing the salaries of all civil officers of the United States, and thus include in their literal application the salaries of the President and of the judges of the Supreme Court of the United States, the question may perhaps be stated in this form: Are those statutes to be construed as authorizing the imposition of a tax upon the salaries of the officers in question?

The first section of the second article of the Constitution of the United States contains this provision: "The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected." The first section of the third article contains the provision that "The judges both of the supreme and inferior courts shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office."

A specific tax by the United States upon the salary of an officer, to be deducted from the amount which otherwise would by law be payable as such salary, is, in my opinion, a diminution of the compensation to be paid to him, which, in the case of the President and the judges, would be prohibited by the Constitution of the United States, if the act of Congress levying the tax were passed during the official term of the President or of the judges, respectively, concerning whom the question should arise.

It was held in the case of Dobbins *v.* The Commissioners of Erie County (16 Pet., 435) that the compensation of an officer of the United States, fixed by a law of Congress, was not subject to taxation under State authority, because the effect of such a tax would be to diminish the compensation which the officer was by law entitled to receive. Such a tax was held to interfere with the provision made by the United States for the due execution of the powers and functions of the National Government by means of officers which it appointed and paid. In the case of The Pacific Insurance Company *v.* Soule (7 Wall., 434) it was decided that an income tax was an excise or duty imposed by a statute of the United States relating to internal revenue.

Congress, being prohibited by the Constitution from diminishing the salaries to be paid to the judges of the Supreme Court and the President during their respective terms of office, can no more do it by levying an excise or duty upon those salaries and deducting the amount thereof from them than could a State from that of an officer of the United States under the doctrine of the case in 16 Peters' Reports. The tax directly operates as a diminution of the compensation of the officer.

I am therefore of opinion that no income tax could be lawfully assessed and collected upon the salaries of the President or any of the judges who were in office at the time the statute imposing the tax was passed. In regard to the salary of a subsequent President, or judges subsequently appointed, the constitutional objection would not arise, if it were clearly the intention of the Legislature that the tax should be imposed upon these officers whenever, by new appointments or a new election, there would be no constitutional difficulty in the application of a previously existing law. But I am of opinion that this would not

be the safe and just rule of construction. Statutes imposing taxes are in their nature temporary, and subject to frequent modification and repeal. When Congress imposes a tax upon the salaries of all civil officers, the language, although general, must necessarily be construed to mean all civil officers except those whom Congress has not the constitutional power to subject to such a tax.

As the language of the statute could have no application to the President and judges holding their offices at the time it was passed, there would seem to be sufficient reason for holding that there was no intention that it should apply to those officers. If it were supposed applicable to the salary of the President, the singular result would follow in his case that, as the Constitution prohibits the increase as well as the diminution of his salary during his term of office, if at the time when his official term commenced his salary was subject to a deduction in the nature of a tax it would not be competent for Congress during his term of office, by any repeal or diminution of the tax, to increase the amount paid to him. So that if the law imposing an income tax were repealed, the President alone, of all the citizens of the country, would continue liable for its payment during the term for which it had been originally imposed, if his official term so long continued. And in the case of the judges, as the amount of income tax laid upon salary should be varied from time to time, one judge might be liable only to the amount of part of the income tax which the law imposed on salaries generally, and different members of the same court would be receiving different rates of compensation.

I think it a more reasonable view that the class of officers over which Congress has not this taxing power by the Constitution should not be held to be embraced within the general phrase, "all salaries of civil officers," and have therefore come to the conclusion that the just construction of the law does not require or permit any deduction of an income tax from the salaries of the President or the justices of the Supreme Court.

Very respectfully, your obedient servant,

E. R. HOAR.

Hon. GEO. S. BOUTWELL,
Secretary of the Treasury.

"Civil War Pension Laws in Their Enforcement are Unjust to Some, Just to Others, and, Possibly, too Liberal to a Few.

"They Should be Made to Harmonize and be Enforced Impartially."

EXTENSION OF REMARKS
OF
HON. DAVID A. HOLLINGSWORTH,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919,

On the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. HOLLINGSWORTH. Mr. Speaker, I have listened attentively to the remarks of the gentleman from Illinois [Mr. KING] relative to a rule of the Invalid Pensions Committee which he claims bars before the committee any member of a soldiers' or sailors' home from receiving relief through consideration by the committee of special bills. I do not think the rule quite as broad and arbitrary as he states, but as enforced it amounts to the same thing.

The illustration he gives, of a blind soldier in the soldiers' home at Quincy, Ill., with no friends, no home, nobody on earth to take care of him, and yet denied any special relief at the hands of this committee, seems harsh and unjust, and I quite approve of the gentleman's remarks.

I have myself in mind a somewhat similar case in the soldiers' home at Dayton, Ohio. A soldier constituent of mine, member of this home, sent me word that he longed for the unrestrained freedom of the outside, and that if I could procure him a special pension of $30 per month he would be glad to leave the home and could manage to subsist on this amount. I immediately introduced a bill, not thinking the rule mentioned quite as arbitrary as it seems to be, but, notwithstanding I am a member of the committee, that bill, introduced in January, 1917, still sleeps in the committee files awaiting, with hundreds of others not quite up to the committee standards, the usual biennial 4th of March burial of legislative hopes.

I am not disposed to complain of the committee in any way; they are all true friends of Civil War veterans; but the law itself is at fault in a number of respects, as I shall try to point out, with permission of the House.

I also listened, but with regret, to the remarkable statement of my colleague from Ohio [Mr. KEARNS] to the effect that a pension bill of $12 per month granted by Congress to a helpless child of a deceased soldier had been denied payment by the Commissioner of Pensions, alleging as the only reason that the child was in the county infirmary at the time the bill was finally passed.

My colleague's statement, although startling to me, is in such positive form that no room for doubt is left, and yet I sincerely hope that upon further inquiry and investigation he may himself discover some other reason for this blunt refusal of the Pension Commissioner to carry out a solemnly enacted law of Congress even if it be of minor importance in dollars and cents. It seems too cruel to contemplate.

I have known Commissioner Saltzgaber for many years, and my estimate of him has always been that of a high-toned, high-class gentleman in every respect, incapable of intentionally doing a wrong to anyone, much less to a helpless child of one of his comrades, for he himself was a worthy, brave, Union soldier.

I have known him intimately as an official, served with him in the Ohio Senate, and have had much business with his office here in Washington, and, although on opposite sides in politics, I have never had the slightest cause to complain of his official actions or doubt his official integrity. I may of course be mistaken, but I feel sure if the facts stated by my colleague be presented by him personally to the commissioner, and fully explained as they are here claimed to be, Mr. Saltzgaber will not hesitate for a moment to order payment of that helpless child's pension whether she be in or out of the county infirmary.

I regard the present pension laws in their enforcement as unjust to some, just perhaps to others, and possibly too liberal to a few, and as this may be the last pension bill of this character reported by this committee at this session of Congress now rapidly nearing its close, with big war problems, or rather peace problems, yet to be solved, I desire to submit during the consideration of this bill a few additional thoughts on the general subject of Civil War pensions. The pending bill, although intended by the committee, of which I am a member, to be a generous one, is not perfect; no one claims that it is. It does not provide adequate support even for the few needy survivors mentioned, their widows and orphans, as contemplated in the implied promise of the Government at the time of enlistment. The Government, in my judgment, occupies a contractual relation toward the soldiers of the Civil War and their dependents as binding as if entered into with all the legislative formalities of the war-risk insurance law for the protection and relief of the soldiers of the present war and their dependents; as binding in fact as the war bonds of the Government issued at the time.

Although heartily supporting this bill, as I have every pension bill or soldiers' relief measure reported from any of the House committees since I have been a Member of Congress, and have myself introduced and had passed scores of special bills, aggregating nearly 200, for the relief of those needing more help than can be obtained under the general pension laws, I can not say that I am in entire accord with the present laws on the subject or the present method of granting relief by special acts which are liable to give one soldier a preference over another of equal merit.

I also dissent wholly from the theory of charity in connection with relief bills for soldiers of the Civil War or for their dependents. Adequate support for them, at least enough to keep the wolf from their doors, is as much a business obligation of the Government as is its duty to make prompt payments on the insurance policies issued during the present war or on any other contract obligation of the Government.

Veiled suggestions of charity made on the floor of the House whenever pension legislation is up for consideration, and even by well-meaning citizens throughout the country who are of a later generation and can not personally realize Civil War conditions, are unwarranted except on the theory of almsgiving generosity the acceptance of which is objectionable to many sensitive minds. They overlook the fundamental pact of the Government with its volunteer soldiers.

I have no patience with those who undertake to differentiate between the word "compensation" for the unfortunate victims of the present war and the payment of "pensions" to like unfortunates of the Civil War.

It is a matter of tweedledee and tweedledum. Charity is not an element in either. Debt and credit are the only elements of accounting as between the Government and its citizen defenders in either war. Patriotic and sentimental considerations are not matters of accounting.

When the tocsin of civil war sounded in the sixties and the life of the Republic was seen to be in peril the Government at Washington hastily called for volunteers to defend it. Conscription, or selective drafting as it is now sugar-coatedly called, was not then thought of except as a last resort, if it should appear that American citizenship faltered or showed an unwillingness to voluntarily come forward in defense of home and country. It seemed then, as it does yet to some, contrary to republican ideals, foreign to our democratic form of government.

Accordingly recruiting officers duly accredited were sent out by the Government among the people calling for volunteers, and

by speech and through the press the promise was proclaimed deliberately and urged as an assurance of the Government to induce volunteering that any citizen thus entering the Army, and his widow and children in case of his death or misfortune, should always be objects of care and solicitude on the part of the Government, and come what might, either during or after the war, they should never be permitted to suffer the pangs of hunger or want. Poor and needy soldiers and their families to this extent were made contingent wards of the Republic by an implied contract as sacred and binding as any obligation ever entered into by human authority. Volunteers with this assurance and without other formality patriotically rushed to the colors, feeling that they and their families were protected against the uncertain contingencies and casualties of the future, not that they expected to be paid specific amounts, as provided in the insurance policies issued to the soldiers of the present war, but simply a solemn though unwritten guaranty on the part of the Government that they and their loved ones should never be permitted to suffer want.

Thus was the Union Army recruited and volunteer soldiers accepted by the Government. Over 2,000,000 of splendidly equipped young men, the flower of the northland, with no other assurance or guaranty, went forth to battle against foemen known, as they proved to be, worthy of their steel.

Victory finally crowned their efforts, after four years of terrific fighting. It was so complete that victor and vanquished at once accepted results, and the white flag at Appomattox proved a signal for speedy disbandment of both armies and their return to the peaceful avocations of civil life, without any need of peace conferences to settle terms or exploit leaders, as is now being done at Versailles.

The intervening years have healed all wounds and to-day we are a united, happy people, in spirit and in fact, welded together by tender ties and common interests found in the hearts of a brave, just people, and, as applied to the sovereign States of a glorious Union, welding them together more indestructibly than is possible by any of the theoretic, bayonet-pinning-together league projects for universal world peace now visualizing at Versailles. The debts and obligations of the Government growing out of the Civil War, even the high interest-bearing bonds discounted and sold to provide for war emergencies, have all been paid or canceled, saving only this one implied obligation of the Government to its needy volunteer soldiers and their dependents, making such special relief bills as we are now considering a necessity of governmental good faith. The general pension laws are admittedly inadequate to cover all cases. They are also so hedged about by technicalities, red tape, and unjust limitations like the requirement of 90 days' service, slight absences from duty without formal leaves, and other boyish delinquencies, trivial in their nature, but which have for over a half century barred many worthy soldiers from needed relief, from absolute rights which were guaranteed to them by this implied obligation of the Government they volunteered to serve.

Statistics are not at hand to show the exact number of unfortunate volunteer soldiers, their widows and orphans, thus barred by legislative limitations, but they certainly aggregate many thousands. Modest, needy heroes, some of them, like two whom I shall hereafter refer to as examples, with years of hard military service for the Government to their credit, compelled to struggle on in life against adversity, and, worst of all, against the stings of ingratitude and neglect shown them by the Government they served.

This ought not to be. It is rank repudiation, under the guise of law, of a solemn, though unwritten, obligation of the greatest and believed to be the most just and considerate Government on earth, and, worse yet, an obligation incurred in an hour of peril, when it was loudly calling for volunteers to defend its very existence.

The end approached. Soon this chapter of ingratitude will have been written and relief bills in Congress will be powerless to bring them even partial justice. An unsavory memory of discrimination, of mixed generosity for some and wrongful neglect and violated faith for others, will mar forever the fair perspective of the Republic unless Congress acts promptly while it can and removes the shadows of injustice now resting upon our national escutcheon. The memory of one unjust act by the Government toward one of its defenders can not be wiped out by a thousand generous deeds for others. It lingers and rankles in the minds of a just people and mars the pages of history after the victim is forgotten. Like truth, it can not be crushed; like Banquo's ghost, it rises continually to condemn.

I know it is said, and truthfully, that many well-to-do survivors of the Civil War are drawing pensions under the present law who can not properly be classed as needy. Charges of commercializing patriotism have frequently been made against them on the floor of the House during the consideration of pension bills for no other offense than accepting in good faith such benefits as the Government has voluntarily granted to them by solemn acts of Congress, with the passage of which they had nothing to do. Shafts of obloquy hurled against citizen soldiers who in the hour of their country's peril voluntarily went to its rescue are sure to react in the public mind and generally reveal under the searchlight rays of truth mere jealousy or envy of those who won distinction in defense of home and country. Such critics are growing fewer and fewer, vanishing like the number of old soldiers whom they would defame. They are unworthy the respect of law-respecting citizens. They are of the Bolsheviki type.

I have never felt any inclination to criticize or find fault with any citizen for obeying the laws of his country, duly enacted. If the Government awards him a pension, it is his right. At the worst its acceptance is a matter of taste.

Special pension bills, such as we now have under consideration, are different. A rigid rule of the committee bars the rich and well to do.

Rule 2 reads:

> The committee will not give consideration to any bill for pension or increase of pension unless the testimony and information submitted with the bill clearly shows that the claimant is now in such physical or mental condition as to be entirely unfitted for self-support and in destitute circumstances.

Everyone who is to receive a benefit under the pending bill has been shown by evidence to come within this rule. He has been shown to be needy and deserving; coming, in fact, under the implied contract the Government made with him at the time of enlistment.

Nor have I any criticism, Mr. Speaker, much less fault to find, with the few remaining survivers of that great Volunteer Army of the Union who still cling to and strictly act upon the original pension theory and implied promise of the Government under which they entered the service of their country in the dark days of the sixties, and which promise they understood to be a part of their contract of enlistment and which, stated briefly, was a simple guaranty to them that, come what might, they and those dependent upon them should never suffer want.

Fortunate, more or less, financially and in fair health, considering their ages, with honorable discharges showing them entitled to pensions if they desire under existing laws, the names of these patriotic, strict constructionists do not appear on the pension rolls. Apparently they prefer, so long as they are able, to eat their own bread in the sweat of their own brows. Perhaps it is more of a sentiment than otherwise, but still it gives luminous emphasis to the poet's inspiration about the "glorious privilege of being independent."

At any rate, it is their business, and their unselfish acts and modesty should, as it does, give them immunity from criticism.

I confess to a little tenderness myself along this same line, and am thankful that the wolf has not yet entered my doorway. But, Mr. Speaker, I fain would say a word for those, numbering thousands, who in dire distress are denied relief because of technical barriers unthought of and not provided for at the time this implied promise was made and volunteers were accepted by the Government. Such exceptions were not reserved in the original pact of enlistment.

What right has the Government, as it does, to say to an honorably discharged soldier who served faithfully for 89 days and now in need, "Step aside; you are not entitled to any consideration from the Government," and at the same time say to the one who served 90 days, perhaps in good health and well to do financially, "Step up to the counter; here is your pension," without regard to health, wealth, or need, at $30 per month and up? What right has it to treat the widows and orphans of the same soldiers in the same way?

It is a hideous discrimination, and yet it is the law of this blessed Republic. Again, a youthful soldier at home on sick leave recovers and instead of returning to the company he belongs to goes, with some of his chums perhaps, into another regiment and serves faithfully under this last enlistment until the end of the war and is honorably discharged with his regiment. From first to last he has been a faithful soldier; at the worst his changing regiments without red-tape approval was only a boyish indiscretion. The Government got the full benefit of his young manhood as a soldier, and yet, when pension day comes, his years of faithful service do not count; he is bruskly told to step aside because he neglected to get a discharge from his first and minor enlistment. But the 90-day boy has no worries about his pension, whether or not he did any of the fighting.

Is it right? Accidental overstaying of a furlough for a few days, or, possibly, caused by sickness unexplained because of his regiment being mustered out during his absence, has left against many really good soldiers the dark mark of desertion,

placed on the record by a careless sergeant or other subordinate of his company, who might easily at the time have learned and recorded the facts, a blot to remain forever more terrible to a true soldier than any possible loss of pension rating. It is worse than the "scarlet-letter" mark to a sensitive mind.

Is it right? No; and congressional committees can not, in my judgment, be too liberal in granting special relief measures.

Other instances of discrimination and wrong to worthy soldiers might be mentioned, but I forbear.

It is now, Mr. Speaker, over 50 years since Fort Sumter was fired upon; a jubilee year, with welcome for all those who fought on the other side, has long ago been signalized by this great, wealthy, and powerful Government; another war is upon us and billions of the Nation's wealth are being lavishly and properly expended for the comfort of our new armies in the field and those coming home since the signing of the armistice, and in making much-needed billion-dollar loans to the allied Governments, including a most remarkable gratuity of one hundred millions to a greedy lot of unidentified and unclassified non-English speaking foreigners, wholly without sympathy or appreciation for American ideals, and yet there are thousands in our own land who fought on the Union side in the long ago faithfully and well now in poverty and need, but denied any assistance by the Government and are thus compelled to eke out existence as best they can with the great Republic they served apparently indifferent. They are denied relief only because of such trivial technicalities as I have mentioned.

Is it right? Is their jubilee year never coming?

In my judgment every surviving Union soldier who, accepting the recruiting promises and assurances of recruiting officers, enlisted and served his Government and country, if now in actual need of assistance for the support of himself and family, should be granted a pension by the Government adequate to make good such promise, unless he has been dishonorably dismissed from the service or can be found guilty by regular court-martial proceedings of moral turpitude during the war or cowardice in battle.

It is not a charity; it is a contractual right due him under his contract of enlistment.

And on the trial of such question, especially at this late day, where there is doubt, the just legal maxim, old as the ages, should govern—that is, that it is better that many guilty escape rather than one innocent person be made to suffer.

But I promised to give concrete details of two cases illustrating the hapless condition of many worthy survivors whose actual military service was brave and heroic. I shall do this without indulging in any imaginary war stories. I quote only from official Army records and reports made to this House after full investigations by the Military Committee:

[House Report No. 537, Sixty-fifth Congress, second session.]

[To accompany H. R. 4818, requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington.]

Mr. SHALLENBERGER, from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4818) requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington, having considered the same, report thereon with a recommendation that it do pass.

The records of the War Department show that Benjamin R. Buffington was enrolled November 1, 1861, at Flushing, Ohio, and was mustered into service November 17, 1861, as a private of Company K, Fifteenth Ohio Infantry Volunteers, to serve three years; that he was captured at Murfreesboro, Tenn., December 31, 1862; paroled at City Point February 3, 1863; reported at Camp Parole, Md., February 5, 1863, and that he was honorably discharged the service February 24, 1863, in orders from this department, upon application of his father, on the ground that he was a minor.

The records also show that he enlisted October 27, 1863, at St. Clairville, Ohio, and was mustered into service December 1, 1863, and assigned as a private to the Twenty-fifth Ohio Infantry Volunteers, to serve three years. He served under this enlistment until April 8, 1865, when he was ordered transferred to Sherman's army. He was landed at Beaufort, N. C., and there not finding his command, which was then stationed in South Carolina, he returned to his home in Ohio.

The Adjutant General, in a letter February 5, 1913, to Hon. W. D. Francis, a Representative from the State of Ohio, states the case as follows:

"While, therefore, Buffington does not stand charged with desertion on the records, he is, according to his own statements, a constructive deserter, and, in any event, it is only on condition that he stands charged with desertion, either actively or constructively, that this department can take any action at all in his case looking to furnishing him with a discharge from the Twenty-fifth Ohio Infantry. In other words, the only authority of law under which this department can amend the official records in this case is the act of Congress approved March 2, 1889, which governs the subject of removal of charges of desertion and the issue of discharge certificates to soldiers who failed to receive them by reason of their absence at the time of the muster out of their commands. In order, however, to entitle Buffington to the benefits of this act, it is necessary that he should have served to May 1, 1865, as it is evident from his own statements that he was not prevented from completing his term of enlistment by reason of disability contracted in the line of duty, and it is therefore incumbent upon him to produce satisfactory evidence that he did not withdraw himself from military control prior to May 1, 1865."

It will be noted that this man's service, as shown by the records of the War Department, was only 24 days short of the time required under the act referred to to entitle him to an honorable discharge under it. The war was practically over, he had been landed in a different State from that in which his command was located, was therefore unable to find it, and walked home. His service covered a period of almost four years, and the committee therefore recommend he should be granted the relief asked for in the act.

[House Report No. 724, Sixty-fifth Congress, second session.]

Mr. MCKENZIE, from the Committee on Military Affairs, submitted the following report to accompany H. R. 4814, a bill for the relief of Jonathan Milburn.

The Committee on Military Affairs, to whom was referred the bill (H. R. 4816) for the relief of Jonathan Milburn, having considered the same, report thereon with a recommendation that it do pass.

The evidence in this case shows that the soldier served three years and was honorably discharged and that he reenlisted in the same company and regiment.

It further shows that he was detailed with a wagon train under Wagon Master George Marshall. That while in such service the soldier was taken sick and when the train reached Martinsburg, W. Va., which is near the home of the soldier, he left the train and went to his mother's home where he suffered from an attack of typhoid fever, and never rejoined his regiment. In the opinion of the committee this soldier did not willfully desert and inasmuch as he had given long service to his country the relief should be granted.

For the information of the House a letter from Adjt. Gen. McCain and a number of affidavits are herewith included and made a part of this report.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, April 18, 1916.

Hon. D. A. HOLLINGSWORTH,
House of Representatives.

MY DEAR SIR: I have the honor to acknowledge receipt of your letter of yesterday, in which you state that after having presented to the Committee on Invalid Pensions special pension bills in the cases of Benjamin R. Buffington, Company K, Fifteenth Ohio Infantry, and Jonathan Milburn, Company D, First West Virginia Cavalry, it was suggested to you by the chairman of the committee that the cases of these two soldiers were apparently similar to the case of William H. Blair, in whose case this department had, at the instance of Hon. Mr. ASHBROOK, granted an honorable discharge, and that it would be well to ascertain whether this department would take similar action in the cases of Buffington and Milburn. In response to your request to be advised whether there has been any change in the practice of this department during recent years that would preclude a reinvestigation of these cases, I beg leave to inform you that there is nothing to prevent such a reinvestigation or the introduction of any new evidence in support of the original applications for an honorable discharge.

The law which governs this department in the consideration of cases such as these is the act of Congress approved March 2, 1889, which makes provision under certain conditions for the removal of charges of desertion and for the issue of honorable discharge certificates to soldiers who failed to receive them by reason of their unauthorized absence at the time of the muster out of their commands. The cases of Buffington and Milburn are similar to the case of Blair, in that each left his command prior to May 1, 1865, and in such cases the charge of desertion can be removed under the act of March 2, 1889, only on condition that it shall appear from satisfactory evidence that at the time of desertion the soldier was suffering from wounds, injuries, or disease incurred in the line of duty and was prevented from completing his term of enlistment by reason of such wounds, injuries, or disease. In the case of Blair, evidence was recently submitted by Hon. Mr. ASHBROOK, which was found sufficient to establish that that soldier was prevented from completing his term of enlistment by reason of disability incurred in the line of duty, and the charge of desertion was accordingly removed and an honorable discharge issued in the case.

I gather from your letter that you are in possession of the two communications addressed by this office to Mr. Francis, your predecessor, in regard to the case of Buffington.

It will be observed from those communications that, in the case of this soldier, it is not contended that he was suffering from any wounds, injuries, or disease when he finally withdrew himself from military control, some time in April, 1865, apparently, or that he was prevented from rejoining his regiment, the Twenty-fifth Ohio Infantry, which remained in service until June 18, 1866, and that relief could be afforded in his case under the existing law only on condition that it could be established by competent evidence that he did not withdraw himself from military control prior to May 1, 1865.

As to the case of Jonathan Milburn, which is similar to the case of Blair, not only in that both deserted prior to May 1, 1865, but also in the fact that in both cases it has been claimed that the soldier was unfit for military service at the time of desertion and unable to rejoin his command prior to its muster out of service, some testimony has been introduced in which it is alleged that some three months before the close of the war he was detailed with the wagon train; that he was sent back with the train to Martinsburg, W. Va., and, being sick at the time, he received permission from the wagon master to go to his home, which was near by; that upon arriving at home he was taken down with typhoid fever, and that his regiment was mustered out of service before he recovered from his sickness. In the absence, however, of any record evidence showing that Milburn contracted any disability while in the service or that he was suffering from such disability at the time of his desertion, the department has been constrained to deny the application for the desired relief. Any additional testimony, however, that may be submitted in the case will receive prompt consideration. Such testimony, if possible, should include that of former comrades as to Milburn's physical condition at the time when he withdrew himself from military control.

Very respectfully,

H. P. MCCAIN,
The Adjutant General.

Statement of claim of Jonathan Milburn, of Bannock, Belmont County, Ohio, for correction of his war record and claim for a pension.

Jonathan Milburn enlisted in the First West Virginia Cavalry at Wheeling, W. Va., in 1861 and served his three years, being honorably discharged at end of enlistment. He immediately reenlisted in same regiment, serving a part of his second enlistment with his regiment, but a few months prior to the close of the war he was detailed with the wagon train under Wagon Master George Marshall. Shortly before the close of the war he had been sick with the wagon train, and the

latter being near Martinsburg, W. Va., while Milburn's mother lived but a few miles away—9 miles from Winchester—it was thought best to get him to his mother's, and, the war then being considered over, this was done. Wagon Master George Marshall personally took him to within 4 miles of his mother's. Upon his arrival there he took down with typhoid fever and laid for weeks. In the meantime the war closed, troops were mustered out, and the officers of his regiment, not knowing his whereabouts, marked his record as "deserted."

Upon his recovery he came back to Belmont County and has continually resided in the vicinity of Bannock from that time to this. He did not know for months afterwards that his record had been marked this way, and upon discovery of it did not realise the future necessity of having it corrected until after his old comrades had scattered and many of them who knew the circumstances had died. If Wagon Master George Marshall is still living his whereabouts is unknown to said Milburn or his friends.

An attempt was made to straighten this matter out when Hon. Lorenso Danforth was Member of Congress from this district; his first honorable discharge, together with other papers was sent to Mr. Danforth, who took sick and died very shortly afterwards, and when his estate was settled these papers could not be found.

Jonathan Milburn is to-day not physically or financially able to support himself and wife.

JONATHAN (his x mark) MILBURN.

Sworn to and subscribed before me, a justice of the peace of Belmont County, Ohio, this 13th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

BANNOCK, OHIO.

I have known Jonathan Milburn since before the war, and recall distinctly his visit home just before entering on his second enlistment. The facts as stated in his affidavit is what I have always heard regarding him. He has been a hard-working man among us, honest and truthful, and is deserving in every respect of having this matter adjusted.

P. B. CALDWELL.

Sworn to and subscribed before me this 14th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

BANNOCK, OHIO.

I was personally acquainted with Jonathan Milburn prior to his enlistment. I knew of the facts as set forth in his statement. I saw him at the time of his reenlistment upon his visit home, and have known him continually from the close of the war to the present date; as he has made his home in this vicinity ever since, and has worked for me a goodly portion of the time.

His physical condition is very poor; the majority of men in his condition would not attempt to do any work, but he is compelled to do so, as his financial circumstances are such that he has to work if his strength permits.

WILLIAM LODGE.

Sworn to and subscribed before me this 14th day of May, 1910.

J. M. STEWART, *Justice of the Peace.*

The Van Dyke Amendment.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 29, 1919.

Mr. GORDON. Mr. Speaker, this amendment reads as follows:

That hereafter in making appointments to clerical and other positions in executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions.

This condition imposed upon the authority to appoint to positions in the public service is clearly contrary to public policy, and the courts should hold it invalid upon that ground alone, and also upon the additional ground that it invades the constitutional function of the executive; but they are not likely to do so for the very reason which passed it through the House by an almost unanimous vote.

The courts should adjudge this restriction upon the appointive power null and void, because where two or more persons are candidates for the same position it may result in the appointment of the least qualified, while the public interests and welfare demand the appointment of the one best qualified.

It is no answer to say that this limitation does not compel the appointment of an incompetent man. "Qualified" is a relative term, and any legislation which will require the preference to be given in any case to the least qualified candidate is obviously vicious, because it tends to lower the standard of the public service, and is for that reason invalid, and should be so adjudged and declared, because it is the duty of the executive to appoint the best qualified applicant to public office.

Some Members have attempted to excuse their votes for this vicious restriction by contending that the appointing officer will construe the statute to mean that "everything else being equal, the preference shall be given to the ex-soldier"; but this construction would entirely vitiate and destroy the intent and purpose of the provision, because it would render it impossible to enforce the preference which it is the only object of the statute to create.

It would violate the terms of the statute itself and convert appointing officers into lawbreakers. This limitation is based upon the wholly false and unwarranted assumption that the qualifications of all persons who are "qualified" to perform the duties of these positions in the executive departments are equally so, which every person of intelligence knows is untrue.

This false and vicious theory closes the door of hope for promotion or advancement in the face of every industrious, conscientious, and efficient man and woman serving the Government in any executive position and reduces all to the same level, regardless of their merits, and will do incalculable harm to the public service.

The result of the enactment of this amendment will be to lead to its adoption by the States and their subdivisions and to displace in the public service thousands of experienced, competent, and well qualified public servants, and fill their places with those who lack these qualifications.

Because a man has enlisted or been drafted into the military or naval service and is "qualified to hold" an executive position does not justify his appointment or that of his widow over a man or woman who is better qualified for the place, and a law which compels such appointment is wholly bad and will inevitably tend to lower the standard of the public service.

If at the next election of Congressmen and Senators men who have enlisted in the military or naval service or who have been drafted shall offer themselves as candidates against the men now in Congress who have voted for this amendment, I would like to hear the arguments against their election in behalf of those who have voted for this amendment.

In Memoriam—Gen. Joseph Sewall Smith.

EXTENSION OF REMARKS
OF
HON. IRA G. HERSEY,
OF MAINE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 27, 1919.

Mr. HERSEY. Mr. Speaker, to-day Gen. Joseph Sewall Smith, late of Bangor, in my State, will be buried in the National Cemetery at Arlington with due military honors. His passing calls for a word from me in testimony of his distinguished public services as a citizen of my State and as one of the military heroes of this Nation.

Gen. Smith was born in Wiscasset, Me., November 27, 1836. When a boy he moved with his parents to Bath, Me., where he lived for a number of years. He had a distinct recollection as a boy of meeting frequently at Bath the first governor of Maine, Gov. William King, whose statue has been placed in the National Capitol as a representative of the great men of my State.

Gen. Smith was educated in the common schools and at Gorham Academy, and after his school days he moved to Bangor, Me., where he engaged in business as a manufacturer.

At the outbreak of the Civil War in 1861, at the age of 25, he enlisted as a private under Col. Oliver O. Howard. His courage and ability gave him quick promotion, and he rapidly rose from the ranks through the successive stages of corporal, sergeant, lieutenant, captain, and lieutenant colonel.

October 27, 1864, while serving on the staff of Gen. Hancock, he was brevetted colonel, United States Volunteers, to date from October 27, 1864, "for gallant and distinguished services at the Battle of Reams Station and Boydon Plank Road, Va.," and was brevetted brigadier general of Volunteers to date from July 11, 1865, "for faithful and meritorious service."

Gen. Hancock said of him—

He was brevetted for bravery in action. His conduct in the field was always marked for spirit and gallantry.

Gen. Humphrey wrote of him—

My estimate of him is a faithful and efficient officer, whose long experience in the field and sound judgment make him a most valuable officer. The spirited manner in which he served as aid in action shows him to be as soldierly as he is capable in administration.

Gen. O. O. Howard wrote of him—

Col. Smith came into the service as a private soldier in the Third Maine, at that time commanded by me. He served on my staff at the first Battle of Bull Run. While under my command his services were of a very meritorious character, and his subsequent record is equally good. I have considered him a capable, energetic, and efficient officer.

A congressional medal of honor was awarded him "for distinguished conduct in recapturing two pieces of artillery in the action at Hatchers Run, Va., October 27, 1864."

At the close of the war he returned to private life and business at Bangor, Me., where, under President Hayes, he was appointed collector of customs for the port of Bangor. Under President McKinley he was president of the Army of the Potomac organization.

He was later appointed governor of the National Home for Disabled Volunteer Soldiers at Togus, Me., where he served with great satisfaction for many years. From this home he was next chosen for governor and manager of the National Home at Hampton, Va., beautifully situated on Hampton Roads, where he served with great satisfaction and until a short time before his death.

Several years ago the Quartermaster General had set aside for him a beautiful lot at Arlington overlooking the Potomac and the city of Washington, and it was here some eight years ago that he laid to rest his beloved wife, the companion of his declining years. After her death he seemed to lose his interest in many things in life, and often spoke of the time when he, too, would share this resting place in the national cemetery with her.

A few months ago in my office he spoke of the days that were fast approaching when he would rest in beautiful Arlington, where many of his comrades that he loved were now sleeping and where he, too, would find sweet peace. Well might he say, as Stevenson said:

Under the wide and starry sky
Dig the grave and let me lie.
Glad did I live, and gladly die,
And laid me down with a will.

This be the verse you grave for me:
"Here he lies, where he longed to be;
Home is the sailor, home from the sea,
And the hunter home from the hill."

Americanism v. Zionism.

EXTENSION OF REMARKS
OF
HON. ROLLIN B. SANFORD,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

Mr. SANFORD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include a letter to me by Simon W. Rosendale, former attorney general of the State of New York.

The letter is as follows:

AMERICANISM V. ZIONISM.

[A letter to Congressman ROLLIN B. SANFORD, twenty-eighth district, New York, by Simon W. Rosendale, former attorney general of the State of New York.]

ALBANY, N. Y., *September 4, 1918.*

Hon. ROLLIN B. SANFORD,
Member of Congress, Twenty-eighth District, New York,
Washington, D. C.

DEAR CONGRESSMAN SANFORD: I understand that, with other Members of Congress, you have received circulars and documents with request for expression as to your views on a pretentious Jewish movement known as "Zionism." To make known the attitude of a large number of American Jews on this subject, I take the liberty of addressing you.

This matter, owing to war conditions, has recently taken prominence and is of deep interest to a great number of American citizens. It has been rendered especially prominent by reason of a recent letter of President Wilson referring to the declaration of the British Government, and apparently having his approval, in regard to the establishment in Palestine of a Jewish State, a national homeland, for the Jewish people, the claimed realization of the so-called "Zionistic" movement.'

This project has not had and does not have the general sympathy or approval of that large religious organization of citizens known as Reform Jews of America, nor of a representative body in Great Britain known as the League of British Jews, headed by such prominent Englishmen as Claude Montefiore and others.

It should be stated at the outset that the great body of Reform Jews in this country maintain that they are Jews by religion only and Americans by nationality.

Their religion is concerned with the State only to the same extent to which all other denominations share the common aim of praying and working for the highest welfare of one's native or adopted country. But the implications of a Jewish Palestinian State include those distasteful, dangerous, and outworn doctrines of a combination of church and state, from the evils of which the world is being more and more saved; hence they neither participate in nor approve of the efforts to establish a Jewish Palestinian State.

If the Reform Jews have been comparatively silent as to their attitude, it is because they have hitherto regarded the controversy on this point among Jews in this country as largely academic. The subject, however, now brought into the limelight, discloses radical differences between Jews on the subject of nationalism. These variances are accentuated by recent occurrences and present conditions. It is no longer a matter wholly of rabbis or for theological discussion. It is a practical question whether we shall stand and be regarded as a separate national entity, or, asserting our Americanism, declare, as the fact is, that we are Jews in our religion only.

It goes without saying that any efforts to provide a place where oppressed or persecuted Jews may find a place to live in peace, as well as any movement toward educational or cultural advancement, must meet with universal approval.

Thus, if the British declaration had been for a free State, open for all with protection to all, no such question could be raised; but this is very different from and issue is taken on the proposition to establish Jewish nationality.

Some philanthropic American Jews seem to hesitate in opposing this movement. They apparently do so because they believe this proposed homeland will afford an asylum for the oppressed and persecuted. Its "asylum" possibilities are extremely limited, and it is doubtful whether Zionists would concede this as its object, and, besides, this does not meet the principal objection. The movement is not philanthropic. It is political. The effort is for the establishment of a State. A national flag has been adopted, and it is carried and displayed by its adherents even in this country. National songs are used, and at least the nucleus of a Jewish army is organized and in Palestine; this "legion" is, of course, not to be confounded with the hundred thousand and more of loyal American Jewish soldiers who are doing their duty, shoulder to shoulder, with their fellow citizens, and who with emphatic unanimity will disavow such dilution of loyalty to the flag of our Union.

This matter of Jewish nationality is not new. It is important to note that formal action was taken on this subject years ago at conferences of American rabbis, notably at Philadelphia in 1869, and 20 years later at Pittsburgh, Pa. Out of these grew the organization of Reform Judaism in America. They adopted as the corner stone the doctrine that the hope, expectation, or belief in the restoration of Palestinian nationalism had no place in American Judaism.

It was asserted that we are Jews by religion only; that in the spirit of our country's institutions no religious dogma or prayers were longer proper, which would express a hope or desire for a separate nationalism; that the basic principle of separation of church and state imposed a duty on American citizens to abandon all aspirations or propositions tending otherwise. This principle was so appreciated and approved that it was accepted in its furthermost and most radical application. Most important, then, was the discarding of the ancient ritualistic prayers and utterances of expectation or desire for Palestinian restoration, recited during the centuries of the "dispersion." It was held that such were out of place in this country; that even if the possibility of realization could be seriously contemplated, it would not be availed of. They were eliminated from the prayer book, as they no longer voiced their desires, but more especially and particularly as such thoughts and hopes were inconsistent with singleness of American nationality.

The men composing these conferences being largely, if not wholly, of foreign birth, command additional commendation for their courage in thus eliminating sentiments, of course, written and introduced after the dispersion 20 centuries before, and uttered and repeated by devout worshippers during all those years (as they still are preserved in orthodox rituals). It was bravely done to meet the spirit of this land of religious liberty which had received and adopted them, to which they had sworn allegiance and whose institutions in the correct view demanded the abandonment of such doctrines.

Out of this movement has grown the Union of American Hebrew Congregations, which embraces practically all of the Reform Jewish congregations of America, numbering over 200, located in all parts of the United States with many thousand members. It has established and maintains a college for rabbis at Cincinnati, which was the residence of the late Rabbi Isaac M. Wise, the leading spirit in this great American reform movement.

For many years this union embraced the greater body of American Jews who were generally connected with congregations belonging to the union. They were numerically in the majority in the country until the more recent great influx of Jews from eastern Europe—from Russia, Galicia, Roumania, etc.—who in numbers now far exceed them. These latter, perhaps naturally, have adhered to orthodoxy in observances, customs, and prayers which they brought with them and which their congestion in larger cities does not tend to change. A percentage of the younger generation, particularly in smaller communities, is affiliating with reform congregations, but the bulk of these newcomers, especially those creating huge communities in populous centers, retain their foreign languages and customs as well as their orthodoxy with the ancient ritual, which includes prayers for Palestinian national restoration. The great majority does not appear to realize, if they fully understand, their inconsistency in respect to citizenship in this country.

Among the more recent comers, too, there are found radicals of every shade, who assert that they are not Jews by religion, but by race and nationality. Some of the latter are among those who sneer at the worship and observances of their orthodox neighbors. In these congested communities are found, too, sectarian schools and other religious and semireligious social organizations and factors, besides some distinctly un-American bodies, such as Jewish partisan political clubs and Jewish workingmen's and other associations. The foregoing is referred to principally because in this mass is found the bulk of those who furnish membership in and compose the "Zionists" in this country and who contribute their voices and "shekels" toward that movement. It is true that in the Zionistic movement in this country there are several men of public position and prominence, as well as a small number of reform rabbis, who have lent themselves thereto. They must feel satisfied that their participation is not, to them, inconsistent with unalloyed Americanism. So, too, with the orthodox or conservatives who retain their ancient prayers and aspirations and insist on Jewish nationalism as a dogma. We are claiming no monopoly nor questioning the loyalty of any of these parties. We simply assert our position—that our nationality and religion are distinct and separate. This we conceive the true American national spirit. It would be unfortunate if it were generally or largely otherwise.

Among these laymen above referred to, there are those who, strangely enough, are, so to say, nonconformists; that is, they are not and some even prominent ones never have been connected with any congregation. These must be ranked with those who assert that they claim to be Jews by race and nationality alone. All these together form the Zionists in this country. It is this same element which a short time ago endeavored

to organize a most unjustifiable political Jewish separatism in this country by promoting an American Jewish congress, a movement which is believed to be happily frustrated. They are the Sinn Feiners of American Judaism.

The situation, then, as it stands clearly presents the line of demarcation, and as stated sharply defines the attitude of, so to say, a separate sect, i. e., American Reform Jews who assert that they are Jews solely in and by religious belief. They agree with the declaration of the distinguished English scholar—Lucien Wolf—and the eminent Englishmen who compose the league of British Jews in denying that they are a separate race or nation and declaring they are simply a religious community of great antiquity.

As standard bearers of their faith through centuries of adversity do they chiefly revere the history of their people.

As American Reform Jews they assert that, without sacrificing any principle of religious faith, it is their duty to and they do conform to the country's customs and recognized institutions; they maintain that there should be no religio-politico organizations. In the congregation and its related bodies, such as the Sabbath school, the young people's associations, charitable, and perhaps fraternal institutions alone should sectarianism be expressed.

It is true that President Wilson in his letter refers to the fact that in the Balfour declaration it is the understanding that "nothing is to be done which would prejudice civic and religious rights of Jewish people now in Palestine or the rights and political status enjoyed by the Jews in other countries."

This latter reservation, important as it may be, does not affect the principle involved in the view of the Reform Jews of America who object and refuse to be hyphenated.

It will not answer for the American Zionist to say that the Palestinian nationalism is for the "other fellow." A Jewish nation means a nation of and for Jews. To divest oneself of nationality requires renunciation, which may or may not be recognized. The right of expatriation has not been universally acknowledged by governments.

A very practical objection to Zionism is that it does not tend to make its American members better Americans. On the contrary, it introduces an undesirable hyphenism predicated upon religious lines and based on religious sentiments. We are asked as 100 per cent Americans to obliterate and aid in obliterating all hyphenism in American nationality. Does it tend to such a desirable end to introduce a Palestinian national flag or to sing Palestinian national songs? The attention of our adopted Jewish citizens may well be called to their oath in forswearing allegiance to any king, potentate, or other nationality.

This war is calling attention to the fact that the oath of allegiance is not to be regarded as a "scrap of paper." To illustrate a proposition it is sometimes justifiable to present even extreme possibilities. What would be the attitude of "Zionists" in case of war between our country and their "national home land"?

Can the American Zionists think that their propaganda is conducive to better Americanism, especially for the more recent comers to our country—or will tend to make them thorough Americans? Will the cultivation of ideas or even ideals of a sentimental nature for Palestinian national restoration help to pure American citizenship? These are sterner times. Unhyphenated Americanism should be our objective.

It is said that the international policies of some of our allies favor the creation of a buffer state. The harm done by American Zionists, who are building worse than they think, in retarding if not preventing full and unalloyed American citizenship, more than counteracts any possible demands of loyalty to our allies. We are urging the abandonment of the "German-American," the "Irish-American," and so on. Shall there now be introduced the "Jewish" or "Palestinian" American? This would be the logical sequence of political Zionism.

We have but one national flag, the Stars and Stripes. We assert that there is no such thing as a Jewish flag. We do not recognize the Zionistic flag adopted by the Palestinian nationalists, nor countenance their national songs appealing for and glorifying their national homeland.

This subject in these times above all is a matter of Americanism—and there should be but little patience for these un-American Zionists. If they want a Palestinian Jewish State, let them get it if they can and go to it. It will not do for them to say it is or they want it for some other person than themselves.

We are Americans by nationality, and in our interpretation of Judaism there is neither doctrine nor dogma of Palestinian nationalism. If there were, we would reject it as inconsistent with untainted Americanism. We refuse to have any other nationalism thrust upon us. We will have no Palestinian nationality primarily or secondarily, directly or remotely. To paraphrase the language of a distinguished orator, we say to the Zionist, "You shall not press the (yellow?) badge of Palestinian hyphenism upon the Reform Jew in America."

With assurances of my highest personal esteem and regard, I remain,

Very sincerely, yours,

SIMON W. ROSENDALE.

MEMORIAL ADDRESS
OF
HON. FRED S. PURNELL,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 17, 1918.

The House had under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. DANIEL W. COMSTOCK, late a Member of the House from the State of Indiana.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the family of the deceased."

Mr. PURNELL. Mr. Speaker, for many years I have known of Judge COMSTOCK as a soldier of the Civil War, as a commander in that great struggle, as prosecuting attorney, as circuit judge, as appellate judge, as department commander of the Grand Army of the Republic, and as one of the leading citizens of the great State of Indiana.

I do not recall that I ever saw him or knew who he was until the 2d day of April, 1917, when we, as new Members elect, marched down this aisle together to take the oath of office as Members of this body. I was attracted to him then and have since learned to know and love him. His tall, stately form, his keen sense of humor, his ability as a lawyer and jurist, his record as a soldier, and the general big-heartedness of the man combined to make him distinctly fascinating. Another fact entered into our brief comradeship. He and I represented the two extremes in age of the Indiana delegation, he being the oldest Member and I the youngest. In fact, with two or three exceptions, we represented the same extremes in the entire House of Representatives. When I refer to his age I do not mean to suggest that he was old, except in years and experience. To do so would do a great injustice to his memory. He was exceptionally young in mind and actions. I have observed that many people live in the past proportionally as they advance in years. It was not so with him. Judge COMSTOCK was a student of modern questions. He referred to the past only that he might profit by the experience it gave him and thereby build the better for the future. He was intensely interested in the success and conduct of this war. His only regret, as expressed to me many times, was that he could not shake off the 50 years that have come and gone since he served on the field of battle and give again to his country the same service he rendered then.

I attended his funeral and observed the high and exalted place he held in the hearts of those who knew him best. His friends and neighbors loved and respected him. To my mind this is the real test of the man. I helped to carry his lifeless form to its last resting place. When we reached the hallowed spot I thought I had never seen a more wonderful setting. Between two stately trees on the crest of a sloping hill we laid him to rest, and here he sleeps in a cemetery covered with beautiful grass and foliage and shaded by majestic trees. It looked more like a natural park than a city of the dead. What a fitting end this was to a busy and successful life. To die in the harness, so to speak, in possession of all of one's faculties and at the end of a long and useful life should be the ambition of every man. Such a life can not end with death. Such was the life of our departed colleague. His State and Nation could ill afford to lose him. His services to both will long be remembered and appreciated by a grateful people. [Applause.]

The Hospital Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM J. GRAHAM,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 27, 1919.

Mr. GRAHAM of Illinois. Mr. Speaker, H. R. 13026, the bill now under consideration, is entitled "A bill to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors."

The title is in itself a misnomer, as will be seen by examination of the bill. It is a bill the purpose of which is to authorize the Secretary of the Treasury to expend $10,500,000 for additional hospital and sanatorium facilities for the treatment of discharged sick and disabled soldiers and sailors who are patients of the War Risk Insurance Bureau, and for any other persons who are entitled to treatment by the Public Health Service. On an amendment offered by the gentleman from Illinois [Mr. CANNON] the bill was restricted in its scope to the providing of additional hospital and sanatorium facilities for patients of the War Risk Insurance Bureau alone. As the bill was originally presented these additional hospitals for which the $10,500,000 were to be expended could be used not only for discharged soldiers and sailors but for a large number of other patients who may be from time to time treated by the Public Health Service, to wit: First, merchant seamen; second, Mississippi River Commission; third, the United States Coast Guard Service; fourth, the United States Lighthouse Service; fifth, the Engineer Corps of the United States Army; sixth, the United States Coast and Geodetic Survey; seventh, civilian employees injured under the workmen's compensation act; and, eighth, civilian employees injured

on Army transports. In addition to these classes, all of which are specified in the report of the majority of the committee filed with the bill, the law authorizing the Public Health Service to perform certain functions also gives to that service the right to receive into such hospitals persons from civil life who may be afflicted with diseases which the Public Health Service desires to study, and in cases of epidemics or cases where the public health demand it, a considerable number of other civilians afflicted with diseases for study and experimentation, and the like. In other words, the bill as originally drawn provided that the patients of the War Risk Insurance Bureau and the discharged soldiers, sailors, and marines might be placed in these hospitals, together with many other civilians afflicted with various types of diseases, or the hospitals themselves might be filled with such civilian sick, to the exclusion of the patients of the War Risk Insurance Bureau.

The United States declared war against the central European powers on the 6th day of April, 1917. The war-risk insurance act, so called, was approved on the 6th day of October, 1917. The act now referred to is the act under which certain discharged soldiers, sailors, and marines are entitled to hospital treatment by the Government. The authority to give such hospital treatment is found in paragraph 3 of section 302 of that act, which provides, in addition to the compensation provided for in the act:

> The injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services * * * as the director may determine to be useful and reasonably necessary.

The War Department has known since the passage of that act that the Government was responsible for the treatment of all members of the Military Establishment of the Government who should become sick or in need of medical or hospital attention. Knowing this to be true, it was the part of wisdom, and to be expected, that the War Department or the War Risk Insurance Bureau or other responsible officer of the Government would make some adequate preparation to take care of such sick or diseased soldiers, sailors, and marines. So far as can be ascertained, no such proper arrangements have been made. While the Government of the United States was pledged to give to these defenders of the country the best medical and hospital care and attention that was possible, the Government has stumbled along without any preparedness in this matter, just as it stumbled into the war without preparedness.

The war practically ended on the 11th day of November, 1918, by the signing of the armistice. Almost three months have elapsed since that time, and to-day, after the war has been closed practically three months and when tens of thousands of men have become sick and disabled on account of the service they rendered the Government, neither the War Department nor the War Risk Insurance Bureau has brought forward any comprehensive plan toward the alleviation of the physical ailments these men have incurred. But three measures have been presented to this Congress for the relief of these discharged soldiers and sailors. One of them, called the Gandy bill—H. R. 13440—was presented to the House and was framed with the idea of removing some 400 veterans of the Civil and Spanish-American Wars from their hospital at Hot Springs, S. Dak., and removing them, in the dead of winter, across the country a thousand miles or more to some other hospital or institution and using the hospital thus emptied for the reception of sick and disabled soldiers of the present war. This bill was happily defeated; it would have been a tragedy to have done otherwise. If the bill had been to the effect that all vacant beds in that institution should be used for the accommodation of sick and disabled soldiers of the present war, not a vote would have been cast against it; but such was not the case.

Another bill—H. R. 12917—was presented, called the Dawson Springs Sanatorium bill. This bill appropriated $1,850,000 for the erection of a sanatorium at Dawson Springs, Ky., which hospital, the hearings showed, to be intended for the treatment of tuberculosis. This hospital was to be permanent and to have 500 beds. It was evident to the unprejudiced observer, from the hearings, that Dawson Springs was an unfit place for a tuberculosis sanatorium, and that even if the sanatorium were built there it would be approximately two years before it would be available, and then only for 500 patients.

Finally this bill, H. R. 13026, is presented, which is said to present a comprehensive scheme for taking care of the patients of the War Risk Insurance Bureau. It will be observed that no soldier, sailor, or marine, none of the wounded or sick soldiers who are being returned from Europe now and have not been discharged can be treated in the hospitals to be built under this bill, but that this bill only includes in its scope soldiers, sailors, and marines who have been already discharged. The hearings showed that the hospitals to be built under this bill are to be of wood, not fireproof, and to be single-story structures. So far as it appears, then, they are to be largely a repetition or a duplication of the dozens of cantonments and camps scattered over the country and are to be no different, in general, than the temporary barracks which have been built already all over the United States.

Mr. N. V. Perry, constructing engineer of the Public Health Service, stated that it was expected to build these hospitals at various places, and he named Boston, Mass.; Chicago, Ill.; Cleveland, Ohio; Detroit, Mich.; Evansville, Ind.; Louisville, Ky.; Norfolk, Va.; New Orleans, La.; San Francisco, Cal.; Seattle, Wash.; St. Louis, Mo.; Wilmington, N. C.; Fort Stanton, N. Mex.; and two sanatorias, one somewhere in the Berkshire Hills and one somewhere in North Carolina. This was the comprehensive scheme that has been mentioned by the majority of the committee when they proposed this bill to the House and for which $10,500,000 is to be expended. However, it does not seem to have been comprehensive enough, because on page 44 of volume 14 of the hearings I observe that after this list had been talked over by the committee and the various witnesses the chairman of the committee, Mr. CLARK of Florida, seems to have had the following colloquy with the witness, Perry:

> The CHAIRMAN. I want to revise that tentative list and put one in Florida.
>
> Mr. PERRY. I want to say in regard to this now, we are only dealing with one-third of this proposition. We have got to come back to you people and get the balance of this; but we didn't feel like loading our hands up under the present market conditions, trying to take 13,000 all at once. We felt that it would be better to divide this up. Dawson Springs would be one proposition. These 5,000 here would be another. Then, after we get these going we can place the others around in Florida and Georgia and the Northwest, because there are 10,000 more. All I am concerned with now is the putting up of the buildings and getting ready to take care of these men now.

Therefore I presume we may confidently expect that we are to have further requests from the Public Health Service and that instead of $10,500,000 we shall expend at least the full $26,000,000 which Mr. Perry estimated the whole program would finally cost, and I assume that we are further justified in believing that the gentleman from Florida and the gentleman from Georgia and the gentleman from the Northwest—wherever that may be—will each get their share of hospital construction in the future. It will be remembered that these are to be frame buildings, temporary, and not fireproof.

The hearings showed that there were approximately 50,000 vacant beds in the United States that might be used for this purpose. These beds are in Army hospitals of various kinds, general and temporary. The officials from the office of the Surgeon General of the United States Army testified before the committee that if they had the authority they would take care of these war-risk insurance patients. When the Dawson Springs Hotel matter was being discussed on the floor of the House I placed in the RECORD a statement showing the vacant beds in these hospitals and this committee had this table in its hearings, and at that time knew this to be the situation. No move has been made by anyone on this committee or connected with the Government to try to propose legislation that would make these existing hospital facilities available for the use of the war-risk insurance patients. It could have been done by a brief act or resolution which would have been passed unanimously and might have been the law before this.

If this bill becomes the law we may expect the Public Health Service to at once proceed to the building of a large number of additional temporary hospitals over the country, although we already have scores of them. As soon as this bill becomes a law we may also expect the Public Health Service to greatly expand its personnel and to come to Congress for authority to do so. A great number of clerks and employees and stenographers and all the machinery to which we have become so used during this war will be built up, called an organization. It was admitted by the committee on the floor of the House that this would call for a great expansion of the department. Then at once buildings will be rented or constructed for the use of this new expanded Public Health Service of the Government. The next step will be to come to Congress for appropriations of millions to carry on the increased activities of this department; and before we know it we shall find that we have added to our financial burdens another greatly enlarged branch of our Government which will cost us millions to maintain. While we are doing this the Surgeon General of the United States Army has built up an immense organization under him, composed of the best physicians and surgeons in the country, a great force of whom are still in the service of the Army and under the Surgeon General, and which organization is now available to take care

of these patients of the War Risk Insurance Bureau. Why not use the existing force for that purpose? Why has not the committee suggested to the Congress some legislation to make available the existing force rather than to create a new force and an immense additional expenditure? In addition to this, the President had power, under the so-called Overman Act, approved May 20, 1918, "to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto conferred by law upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act." In other words, the President might cause the Surgeon General's Department to care for these patients of the War Risk Insurance Bureau by a mere Executive order; but it has not been done and will not be done.

I am forced to the conclusion that there is no desire on the part of anyone connected with the Public Health Service or the War Risk Insurance Bureau who is attempting to put into effect any measures for the economical administration of the war-risk insurance act. Rather it seems to be the effort of those who are responsible for this bill to create more positions, spend more money, and add greater burdens to the already taxation-burdened people of the country.

It goes without saying that those who have become wounded or sick and disabled through their service to the country in this emergency are entitled to the best treatment that a grateful people can give them. Surely, they are entitled to vastly better treatment than this bill proposes. The Government ought to have made adequate preparations and had ready for them the best of permanent fireproof hospitals and facilities for taking care of every one of them. Nothing of the kind has been done. This scheme intends nothing but to continue the present shiftless, purposeless, planless idea of spending money and creating new and expensive Federal organizations. But it is the only thing that is proposed. We now have but a month remaining of this Congress. Legislation to use the existing organizations of the Government to care for these patients would not be possible unless it was proposed by the majority party in this House and favored by the executive officers of the Government. This they do not propose to do. We must therefore accept such scanty measures for the relief of the patients of the War Risk Insurance Bureau as are offered us by those who are now responsible for the policies of the Government. It may be that the expenditure of the $10,500,000 will help some few who have borne the Nation's burdens in this time of trouble, and therefore, as it is the only thing that is or shall be presented, I shall vote for the bill.

Discharges for Soldiers.

EXTENSION OF REMARKS
OF
HON. JOHN Q. TILSON,
OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 1, 1919.

Mr. TILSON. Under leave to extend my remarks in the CONGRESSIONAL RECORD I insert here a few letters from soldiers and others. They are selected from an accumulation of almost 500 letters received by me within a few days after making some observations on the subject of good faith in granting discharges to soldiers.

My intention in presenting the matter originally was to call attention to the fact that in numerous cases officers had flagrantly violated the spirit of certain orders of the War Department, and by so doing were bringing discredit upon themselves and reproach upon the good name of the Army. At any rate, it served to bring out what was smoldering in many a soldier's breast, and I am sure that many of them will feel better for it. After eliminating all cases that smack of mere homesickness, laziness, or grouch, there remain a sufficiently large number of bone fide cases to demonstrate conclusively that officers, especially of the lower grades, in command of organizations made a mockery of Circular 77 of 1918 and openly disregarded Circular 6 of 1919.

The letters here printed were selected almost at random. They group themselves into about six general classes, though many of them overlap and cover a number of different points.

The first group relate to applications on the ground of dependents. As the selective draft law itself was liberal in this respect, this class of applications should have been granted easily and freely. Quite the reverse has been the case, as some of these letters show.

It is well worth while that these spontaneous outpourings from the hearts of some of our soldier boys who have endured the hardships of camp without any of the glory of foreign service be spread upon the record.

The letters are as follows:

CAMP UPTON, N. Y., *January 17, 1919.*

Hon. JOHN Q. TILSON,
Washington, D. C.

MY DEAR MR. TILSON: I am writing to you to explain the circumstances under which some of the men are being held in the Army.

I have already written to Mr. GLYNN, and he promises some action, and after reading in the morning paper the speech you made in the House, thought you would be able and willing to help also.

I am a married man and, due to a recent illness combined with chronic nervousness, my wife is absolutely dependent upon my work for support.

She writes me to-day that she has only $2 left, and this is the last of a fund of cash and liberty bonds that I left for her when I was drafted.

She can place no confidence in the Government allotment, as the War Risk Bureau is not concerned in making payments, but in drawing their own checks. In four months she has received $56, and even if she had received all the money due it would have been insufficient. It is absolutely impossible to feed, clothe, and keep any one person on $30 a month. The Government can't keep a man in the camps for that money. How can a woman live outside for less than the Army can keep me?

It is not only my case but that of many others in this camp—five in this one company—all married and have positions waiting, and we are held here to aid in the demobilization.

We all did our duty and objected not at all while our country needed our service; and though we did not get our chance at the Hun, we did our bit here. Our records are clean; the need of us is past; and we want to return to our natural positions with our wives. We were married. For that reason and before our Holy Father we pledge our support to the girl of our choice. Shall we not be allowed to return and take up that duty, now that we have fulfilled our obligations to the country?

We came here to support all that our flag stood for—liberty, justice, and democracy—and now that we enforce those principles on the Hun, why not get the same principles applied to ourselves?

We have the privilege of applying for discharge, but that is another case of the inefficiency of the Army administration. We are told that we must be held, as our services "can not be spared," and we discharge hundreds of men every day. Young men of 21 were discharged from Camp Jackson through this camp, and they were mostly clerks in civil life. Why could not these young men be held—the men who had no homes to support, no wives waiting, and no positions to go to? No reason—just thoughtless, inefficient administration and absolute injustice.

The conscientious objectors and draft dodgers are all discharged, and honorably discharged in the bargain. Is that justice?

If the men held here were paid the same wage as an officer, or even if the allotment was sufficient to help at home, they would not object.

I draw from the Army $33; $15 goes for allotment, $3.45 for insurance, and if I am lucky I can go home. This takes $10 for car fare. Then for smokes and amusements I can spend $4.55, and I have to write to my wife at least every other day.

The Republican Party is losing time by not taking this matter up. They are assured of a thousand boosters right in this camp that I know of if they do, and if they don't I'll place my loose change on Eugene Debs for next President.

We did our duty, Mr. TILSON, and ask now that our country do hers.

Our papers boast that our demobilization is far ahead of England. We are far behind. The Englishman who has a job and a home is going back to it. We who have those things are staying here to send others back to take our positions away.

Look at the New York American some morning and count the ads. from honorably discharged men. There is a big answer to our boast.

—

MEDICAL SUPPLY DEPOT,
Camp Merritt, N. J., January 22, 1919.

DEAR SIR: Learning of your interest in behalf of enlisted men who have urgent grounds for discharge and are unable to obtain satisfaction, I am prompted to present my case for your consideration. I am inclosing copies of my papers and holding originals, awaiting some new light.

On December 17, 1918, I made application to my detachment commander for discharge, at the same time presenting the inclosed doctor's certificate and letter from my local board. He in turn wrote to the Red Cross headquarters of Perth Amboy, N. J., requesting them to investigate my claim. They wrote back recommending my discharge, finding the evidence true and meriting an immediate discharge. The detachment commander then forwarded the papers to the office of the camp supply officer, whence they were returned with the second indorsement, "Not enough evidence."

Thereupon I submitted the inclosed affidavits of my father and one from the vice president of the Perth Amboy Trust Co., as per suggestion of my detachment commander. The papers went back to the office of the camp supply officer and were again returned with the third indorsement, stating that my discharge could not be approved at this time.

I am a private, first class, in the medical section of the purchase and storage division of the Quartermaster Corps, and outside of helping with the inventory, which was completed about a week ago, I have done nothing more than waste time. I am at a loss to understand why I am being kept, especially since it is so vital for me to be released at once.

My father's health is fast giving away. Both the business and he are suffering. Neither can he find the time to care for his health nor will his health permit him to take the proper care of the business.

I hope that you will give this matter your kind attention and advise me if you can help me. If you then desire the original papers, I shall forward them at once.

—

DETACHMENT SANITARY CORPS,
Camp A. A. Humphreys, Va., January 18, 1919.

DEAR SIR: Having read of your splendid appeal in our behalf, we will submit this case to your investigation, or anything that you may do to help us. We have for a commander Second Lieut. ———. Two-thirds of the men in this detachment have been in the service from 12 to 15 months, and nearly the same number of us have immediate de-

pendents—wives and children. We have filed requests for discharge to our commanding officer, and to date they are piled upon his desk entirely ignored. When asked about the requests, he answers, usually, "You're making more money than you ever made in your life. What do you want to get out of the Army for?" We worked night and day at the base hospital during the raging of the influenza, and we don't feel as if we were being treated fair. If there is anything you can do, sir, to help us, please do it and we will appreciate it surely, as the allotment and the allowance isn't sufficient to meet the needs of our families.

We are,
Respectfully, yours,
DETACHMENT SANITARY CORPS.

—

FORT HAMILTON, N. Y., *January 16, 1919.*

DEAR SIR: Am a married man, supporting three children, and have sent a letter through military channels, with three sworn affidavits before a notary public, to be discharged from the Army. Other men have put in same time and are discharged, but I can not hear from mine. It is impossible for me to support a wife and three children, and I would like to know if you can do anything for me.

Please let me know if you can, and how I should apply. Seems like it has been pigeonholed at Governors Island, Fort Jay, N. Y. Hoping a reply.

—

CAMP RARITAN, N. J.

DEAR SIR: There are over 4,000 men at Camp Raritan; many are from Connecticut. Hundreds of married men, enlisted and drafted, who have dependents have applied for a discharge, showing that they have a job waiting for them. Many of these applications are backed by the American Red Cross affidavit from their home towns, stating and confirming the fact that these men have dependents and are needed at home. Many of these men are working for $1 per day, as they have been doing for seven and eight months.

Many just applications for the discharge of married men have been in for two, three, and four weeks. Nothing is ever heard of them, showing that they are ignored and not being considered at all. The office is as far as they seem to get.

Many of these men have been in the service 10 and 12 months and are still being held, while others from other camps are being discharged who have seen but from 1 to 4 months.

The married men with dependents have had their applications for discharge in for two, three, and four weeks, backed by Red Cross affidavits, and showing that they have dependents and a position waiting for them. In spite of the above facts, they are being held in the service, while single men who have seen but two and three months' service are being discharged from other camps. Many of these married men with dependents are from your home State. Many are afraid of the guardhouse and the "unjust" court-martial. That is the reason they have never written to you stating facts concerning their troubles.

These men thank you for your good work you are doing in their interest.

Any private soldier who can be seen on the streets of New Brunswick any day or night will gladly tell you of the affairs herein referred to, which need competent readjustment. Any friends of yours from this vicinity are familiar with the facts and will gladly inform you of same. The married men with dependents should be given some consideration at this camp.

There are rumors that the officers are stockholders or interested in the company of Snare & Trient, contractors, now doing work at this camp; consequently married men with dependents are being held. Many are doing nothing, as a little investigation will show. If you will have some of your friends of this vicinity ask some of the soldiers from this camp their opinion, you will receive some information that will more than surprise you. Kindly consider this letter strictly confidential, because if we are found guilty of giving any true information we will be court-martialed.

Again thanking you for your kind interest in behalf of the worthy married men with dependents of this and other camps, I remain,
Respectfully, ——— ———.

—

HAMPTON, VA.,
DEBARKATION HOSPITAL NO. 51,
Barrack F, January 19, 1919.

DEAR SIR: After having read your article in the paper concerning discharges of men on application, I appeal to you to ask you if you can do anything in regard to my discharge. Having made application about the last week of November (1918), and having received no answer concerning it as yet, I feel your influence can help in getting it for me.

I am a married man. My wife having just given birth to a son on January 13, 1919, and she now, or was when I left her, in poor condition in St. Mary Hospital, at Waterbury, Conn., and is in need of my support, her father and mother both being in ill health, with three children under 16 to support. The Red Cross people, of Waterbury, Conn., where I live, will verify the above statement. I am now stationed at Hospital No. 51, Soldiers' Home, Hampton, Va. There are here about 90 men in the company known as the port utilities, and the majority of them are domestic-service men. I am safe in saying that two-thirds of the men are practically doing nothing. There are 30 men doing work that has always been taken care of by about 8 civilians before, and it is costing the Government about two-thirds more money now than before we were stationed here.

Trusting you will look into this matter, I beg to remain,
Yours, truly, ——— ———.

—

DEAR SIR: Reading of the great work you are doing in the House of Representatives for the boys that have carried the burden of this great war, I wish to say I will never forget your name at any time where I can use my voice. And for God's sake dear Senator do not stop until you have won for us what we have been told we were fighting for, and that is democracy.

I am also one of those boys that is hard hit by my commanding officer's narrow-minded way of working. I have been a sergeant carpenter in the Camp Utilities Detachment and have served 15 months, have a clear record, and certainly have done my bit while the war lasted, for we have worked as many as 7 days a week and 14 hours a day, but with a record as clear as mine I am still denied the right to go home to support my wife and child.

I have applied for my discharge about the 28th of November. On the 20th of December my supply sergeant returned my three blanks, which never reached the commander of Camp Upton. I have made three more of these blanks out on the 30th of December. I also had two affidavits of friends of mine, with a statement from a family doctor and a letter from one of my employers. This I done for my commanding officer. Lieut. Starin told me that this is the only way I could get discharged, and he also stated that he would let me go. This met with about the same as the first, for it was disapproved without any investigation of my home troubles. I have been asked to make out the third one on the 17th of January, and to-day, the 18th of January, I already have heard it has been disapproved and at the same time this Lieut. Starin has told me on the 17th of January that he will do all he can to let me go. Now, dear sir, can you tell me how it is that the commanding officer, Lieut. Starin, in charge of the carpenters, tells me this and the major disapproves my discharge? Is there no justice coming to the boys that have served their country as a faithful servant?

I am a married man; have a wife and child that is in need of my support, for this little boy of mine is only 4 months old and is a breast baby, which makes it impossible for my wife to help support herself. I also have a mother-in-law, who is a very sickly woman and can only work when her health allows her. But my family must suffer because I am a mechanic, and I am told I am indispensable.

Here is how I am indispensable. Last year this detachment numbered only about 350 men, and we have kept this big camp going, and at that time this camp holding about 50,000 men. To-day we have about 600 men in our detachment, and there is only about 15,000 men in this camp, and still we married men with children and I, being in debt for about $250, am now indispensable.

I am and have been working at things that do not amount to a pinch of snuff, such as building tables for garbage cans after doing without them for 15 months in our detachment. A dog house is a great thing to be compelled to build in the Army when I am needed at home for support. Taking down a mess counter and a center post in a mess kitchen in our barracks that has been only built and then be compelled to build a fighting ring, only to be torn down and rebuilt again by one of our other boys. This is only a little part of our exceedingly carpenter work we are doing.

I hope you will look in this matter, as I can not look upon this much longer without doing something, and there will have to be a dishonorable discharge, for I would much rather prefer that than to see my family in need of my support.

The burden of the next group of letters selected is that the men are being kept at great sacrifice to themselves, at great expense to the Government, and that they are not doing any substantial amount of useful work:

DEAR SIR: The men in the mustering office of Camp Dix, N. J., would like very much to voice their approval of the articles in yesterday's New York Herald, Sun, and World relative to your speech on the delay in mustering out men urgently needed at home on both business and dependency reasons.

It is an outrage the way we are being treated here. Do they think we are slaves, and must we tear this place apart before they will listen to the requests of our employers in civil life and that of our dependents?

In this mustering office are about 125 men, with some 7 officers, doing work, in the main, that is absolutely unnecessary, and work that could be done by any 10-year-old child. The work consists of looking over papers already finished for mistakes, and could be done by less than 30 men. This big force of men spend on an average of three-fourths of their time doing absolutely nothing but fool the time away. The officers in this camp (headquarters and personnel) are doing all they can to hang on to the men for no other reason than it gives them an excuse to hold on to their jobs, as we plainly see every day.

They were seen to read the newspaper articles of yesterday with sneers and sarcastic laughter, with the remarks that nobody had anything on them. We used to get our applications back, but no more, as they simply tell us now that we can't be spared. This is as big a lie as it is a farce, as the officers' pets, particularly in this office, have been discharged through the simple means of transferring them to some unit up for immediate discharge; otherwise, the men that have been discharged from this office have only done so by fighting tooth and nail over the heads of the officers here in camp or by practically having their dependents beg their release by groveling in the dust on bended knees.

The officers tell us that we are highly trained men—doing work that any child could do.

The investigating committees and the newspaper reporters that come down here and are received by the officers in charge have their ears pumped full of dope prepared in advance, and we are usually notified a few minutes in advance of their coming and forced to act extremely busy. If you ask any of the men any questions, they don't dare tell them the truth for fear of court-martial, which is a threat hanging over them at all times.

Why, in the name of heaven, don't they get Regular Army men for this work or some of those idle clerks in Washington that would be glad to do this kind of work?

There are a lot of men here that are having jobs held for them and which they will lose if they can't get out of the Army. Do they want us to swell the army of unemployed after we get out of here?

We most sincerely hope that your efforts will not be in vain and that good will come of it, as it certainly is an outrage the way we are being handled on the question of discharges.

Capt. ——— and Col. ——— are the men in charge of this office, and they work hand in glove with the rest of the officers in headquarters to hold as many men as possible.

The average man here doesn't dare say anything for fear of punishment.

THE MEN FROM THE MUSTERING OFFICE,
Camp Dix, N. J.

—

MOTOR TRANSPORT CORPS, CAMP JOHNSTON, FLA.

DEAR SIR: The boys in our company read with great relief that someone was awake to the undue delay in the discharge of men from idle units.

For weeks we have been practically idle, with no more and generally less than 10 repair jobs for a hundred and more men.

In the motorcycle repair park, in which I work, are 30 men, including the office force, and if we have five repair jobs going on at once we can consider ourselves extremely busy. There are hardly more than 50 machines on duty in camp, and surely it doesn't take 30 men to keep 50 machines in repair.

The motor-car and motor-truck shops are similarly affected, having sent by far the greater part of their machines to Camp Jessup, Ga.

There have been some men discharged from our unit with good dependency and business reasons, and some that we call "handshakers" that got out without good reasons. There are at present a great many men in our company that have presented excellent reasons for discharge and have been turned down.

The most irritating part of it is that there is so little for us to do but loaf, loaf, loaf.

If you can use some names of men and their particular cases, I will be glad to furnish them.

HONORABLE SIR: I was reading your speech in the paper this a. m. In regards to the officers holding us in the Army because they were getting higher salary than they ever got, it appealed to me very much. I have been in this Army nearly 18 months and I have been rejected five times for overseas service, and I was put in a labor company. I have been trying to get out on my profession. I am an embalmer. I have had license since 1st of September, 1910, and the firm I used to work for is very much in need of me. The influenza is very bad around my home, and he is the only licensed embalmer. Of Badger P. Wood, Petersburg, Va., I received letter after letter asking me to try and get out, and I have asked the captain about it several times, and he told me it was no use, because my discharge would not go through. Now, the war is over and I want to get out. We are doing nothing. They even send the men out of our company to do kitchen police for other companies and put some of them in the warehouses, and they are lying around doing nothing. We have three labor companies, all of them rejected men. We have 301, 302, 306, and you can judge the rest for yourself, and the remark has been made around here by one of the officers that he would hold us three years if he could. You are right in everything you said. We know, but we are afraid to say anything. You know what we will get—about six months in the guardhouse. The firm I worked for has written my company commander several letters, and he hasn't received any answer from either one of them. And if you can do anything to help me, it would be greatly appreciated, and for God's sake do not breathe what I have written you. If you do I will get about 12 months.

UTILITIES CONSTRUCTION DIVISION,
Upton, Long Island.

HONORED SIR: Your arraignment in the House on January 15, charging officers not acting in good faith in handling applications for discharges has come to our attention through the press, and we heartily indorse your opinion. You have struck the right point in your reasoning, that many Army officers are holding better jobs to-day than they ever did before. We are subjects of exactly same injustice in this organization, where our case needs to be investigated, as there seems to be no other way to be freed from the hands of our superior officers, who keep us here for their own benefit.

It is more than a clear fact that this organization, under the title of Utilities Detachment of Camp Upton, has been put on the ground of a permanent character, employing soldiers of various physical status, and especially limited and domestic service men, regardless of their immediate need at the head of their home.

During the time of war, when camp activities were at a height, this organization operated with 350 men, and had done considerable work during this period. Now, with the construction at a standstill, the head of this outfit has maneuvered so that he is now holding 720 men, part of which is absolutely in idle condition. For example, in the executive department there are 12 men, ranking as follows:

One lieutenant in charge; two sergeants; two corporals; seven privates.

Is it not surprising, when we consider that this same office had been managed in 1917 and 1918 with only three men in charge. This is a flagrant fact, and the rest of the offices as well as outside branches are in similar condition. It is an outrage.

Just another example: In time of war this organization had 17 plumbers, but at present they are holding 57.

Many of us, thinking we may profit from the privilege given to us by the War Department, have filed application for discharge, only to have them disapproved without the least investigation as to the true character of our claims. One fellow even was threatened to be sent to guardhouse for insisting to get application blanks from an inferior officer. We are unfortunately the victims of these capricious officers in charge of us, who want to keep us for reasons above our knowledge, when we have absolutely nothing to do and have to struggle in vain for our liberty, with broken spirit and naturally lack of patriotism.

We think we deserve consideration, and as we have no friends to defend our cause, we appeal to you, as your attitude seems to be a just one in this matter of holding men for unknown purposes to let their relatives suffer the consequences. We earnestly request you to be interpreter of our sad condition and try to obtain a favorable solution for which we are looking forward with still a little light of hope left in our hearts. We simply are begging you to save us from the cruelties of these superior men in cleverness exercising the power given to them with utmost severity. There is no prospect for us to be released of serving like slaves before the end of this year. Although it is surprising that same organization under different name has a force of 1,750 civilians who get $7 a day and work on the side of us soldiers.

In putting these facts before you we have the indorsement of our fellow soldiers and believe that in the name of humanity we will share equally all the rights which are given to us by laws and nature.

Respectfully,

A SERGEANT.
A PRIVATE.

P. S.—We did not dare to put our names in full, because we believe we are liable to be strictly pursued should this letter fall into the hands of some Army officials.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL.

DEAR SIR: May I compliment you upon your speech of yesterday in regard to the discharge of enlisted men. Your sentiments meet with the hearty approval of the enlisted personnel of this department. Many of them, promising young lawyers with growing practices, barred by physical defects from more active service, in order to help their country sought voluntary induction into this department to act as law clerks—at least they were informed that they would be so used when they made application for induction.

Now that the great emergency has ceased they seek to return to their practices and to recoup their fortunes,—for theirs is a real sacrifice, the pay of an enlisted man being wholly insufficient to meet the exorbitant charges of this city. Their positions await them, there is need for them at home, two of the men will lose positions paying several thousand dollars a year unless they return soon, yet they are held here—for what reasons unless those set forth in your speech we are unable to determine.

There is little or no work to be done. It is a fact that some of the men average less than three hours of work a day. The work is of the lowest type—acting as messenger boys, as mimeograph operators, as typists; in short, as everything but law clerks. Nor is it as though civilians could not be obtained to perform these lowly duties; little or no attempt has been made to do so, for, as we have been informed, a military establishment is preferred.

It is therefore with relief and pleasure that we learn that Congress is turning its attention to these matters and that we may soon obtain that just treatment, untouched by personal ambitions, upon which the success of the draft principle vitally depends.

With best wishes for this new year, and sincere regards, I am,

Very truly, yours,

CAMP UPTON, N. Y.

DEAR SIR: In yesterday morning's World there was reported a speech which you had made in the House of Representatives relative to the method of making Army discharges. During the course of your speech you mentioned that some Army officers had better jobs than at any period of their lives, and in order to make their own jobs good they were refusing discharges to soldiers who desired discharges. The foregoing statement is particularly applicable to the conditions at present existing in the office of the camp utilities at this camp. I happen to know, as I am employed in that particular office myself. "Did I say employed?" Pardon me; I was mistaken. I am not employed in the office, but I am only spending my time there, as I do not do any work, but simply put in my appearance in the morning. During the day I read such literature as is to be found in the office, and there is plenty of it here, the morning and evening papers, and such letters as need to be written. I receive $36 per month, but do not earn 36 cents. I am not the only one who is trying to kill time here. There are three men besides myself employed in what is called the service order section, making a total of four. One man could handle the whole business and still find time to read a book of 300 pages each day. Altogether in my department, the administration, there are 11 men employed, whereas 4 men could handle the work, and still find time hanging on their hands. The foregoing situation is typical of this office. There are about three times as many men employed as are necessary. I am a class C, limited-service man, and am hanging around this office doing absolutely nothing, yet am rated as an indispensable man. All the men who could be spared from this office are being held up on their discharges, being told they are indispensable. Why are they rated as indispensable? Neither you nor any other man can answer that question, except to say that these men are not indispensable. Don't you think that such a condition is pretty rotten? Four hundred and twenty-four dollars are paid in wages every month in the administration department, which expenditure is absolutely unnecessary. The facts which I have stated in this letter are absolutely true.

MY DEAR CONGRESSMAN: Your wonderful speech, part of which was published in the New York World, relative to men being held in the Army because a few officers higher up desired to keep their organizations up to their full strength, was read by all of the members of the camp dental detachment, and my, what applause. It struck the nail right on the head. Every word of which I honestly say and can prove. I think perhaps if you knew these facts you might be able to do something for some of us boys who are absolutely wasting Government funds and ruining our futures. We idle away our time in the most disgraceful manner, and if you only knew the kind of work we do. In this camp there are three dental infirmaries, over 30 first lieutenants drawing salaries approximately at $200 per month, including allotments. There are approximately 100 privates, a great many sergeants, corporals, first-class privates, two captains, and a colonel. I am positive the pay roll of the staff, exclusive of the colonel's, is approximately $20,000 per month. Now, figure food rations, clothes, fuel, electricity, and dental supplies. Why, the figures are immense, and to cap the climax the men have almost nothing to do. A majority of the lieutenants are begging to be discharged, but the answer is always "no." I personally have a chance of my lifetime to resume my business, which I strove very hard to build, but on technicalities I am kept here, wasting the best days of my life, idling away my best days, and there are lots of others. Look at the record of work done. It is outrageous. Investigate these facts, and please, for God's sake, make the Military Committee break up such an exorbitant expenditure of moneys. The boys are all anxious to go home and resume their careers as civilians.

Picture this scene. I am almost going insane from worry, and because of men higher up, as you stated, I am held here. * * *

In time of war we had about 90,000 men in camp and no more than 25 dentists and 25 enlisted men. Now, in time of peace, with only about 20,000 men in camp, we have over 50 first lieutenants and almost 100 enlisted men and hardly any work. They have to go out and lasso patients. Very few come there voluntarily, and then when they get there the officers start to work on them and in a day or two they are discharged, work incomplete, and what is the result? They are not any better off. Please, Mr. Congressman, bring these facts to light and expose this organization and save the Government from any such wild expenditures and save the boys from becoming idlers and also from losing all of their ambition.

If you desire I will be only too happy to appear before the Military Committee in private, as I do not wish my name mentioned and am not seeking any notoriety.

Trusting you will investigate the truth of these assertions, I am,

Very respectfully,

CAMP UPTON, N. Y., *January 16, 1919.*

HONORABLE SIR: Have read of your speech which was published in to-day's newspapers relative to men being held in the various camps throughout the country who have people dependent upon them for support, and also men who have business and positions waiting for them upon their release from the Army. You sure have been very well advised in this matter, and I wish to state that at this camp there are men who have filed applications under the rules and whose applications have been turned down. The commanding officers in many instances have refused to accept the soldier's application, and when they do accept them they forward them to the higher officers with a statement

that the soldier is doing very important work and can not be spared when, as a matter of fact, a 9-year-old schoolboy could do this so-called important work. The officers are very anxious to stay in the Army and keep as many as possible in with them, so as to make their positions very secure. I think that you should see that there is an investigation started to ascertain why the men are being held in the camps in this country, especially those men who have business and positions waiting for them. It is a very funny thing to look at the daily papers and see the number of men who are advertising for positions at clerical work who have been discharged from the Army. There sure should be some consideration given to a business man or a man with dependents who has immediate work to go to. In this camp there is a labor board established, which, from all appearance, is a sinecure for some who are in right. These men, I am informed, receive the sum of $9 per day for sitting around looking wise. They don't do anything all day themselves, as they have a detail of soldiers furnished them every day to do the work which they are supposed to do. That is one of the reasons why they are holding some soldier for "important work."

Trusting that you will continue the good work which you have started, and assuring you that it is greatly appreciated by a large number of soldiers in this and the many other camps throughout the country, I beg to remain,

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CAMP UPTON, N. Y., *January 16, 1919.*

SIR:

* * * * * * *

I am a resident of New York State, but as this matter is one which concerns all, and since you expressed yourself in your speech of yesterday on this matter, I take the liberty of addressing you. I am forwarding you an exact copy of my application, which was submitted as shown; but I am not forwarding this requesting action from you in my personal case, but to submit one of many, others even more deserving than mine, also showing the action taken here.

Since this application was submitted I have twice been transferred to different departments or sections of the personnel office of this camp, each time doing absolutely nothing, to speak in truth. At the present time I do for an average day:

Report for duty at 9 or thereabouts in the morning, wait for my personal mail, and if there is any answer those that require to be answered, but do not fail to watch the hour for mess, leaving at 11.15 a. m. and returning therefrom generally about 2 o'clock in the afternoon. Read the afternoon papers or such other literature as there is time for until the evening mess at 4.30 p. m. I have expressed myself in the matter: "The letter or two that I do write now and then certainly is not worth 10 cents of the dollar and a quarter that I receive daily, besides the other necessary allotments received by a soldier."

I have no objections whatsoever of your using my name in connection with this letter or the contents of any part thereof. The only object of this letter is to show that conditions really do exist as expressed by you, and that there are many officers who have declared that their jobs in the Army are the best that they have ever had, and a perusal of their qualification cards will show this.

The following letter was brought to me by a messenger who is a noncommissioned officer. It is signed by a number of sergeants, corporals, and privates, whose names are withheld for obvious reasons, as are the names in other cases:

PORT OF EMBARKATION,
Newport News, Va., January 21, 1919.

DEAR SIR: In a recent paper your address in regard to discharging of soldiers has come to our attention. The undersigned men wish to express their appreciation of your championship in this cause and state conditions as they are here.

Take the engineering and construction branch of the port utilities, for instance: During the war the work of this department, which included the engineering works concerned mainly in construction of cantonments, waterworks, sewers, etc., at Camps Stuart, Hill, and Alexander, was accomplished with expediency by attached officers, civilian employees, and enlisted personnel, as follows:

DURING THE WAR.

One captain.
Two lieutenants.
Two civilian engineers.
One civilian stenographer.
One civilian draftsman.
Eighteen enlisted men.

Although there is practically no new construction work at the present time, this branch has been increased in number of attached personnel by 3 captains, 2 lieutenants, 1 civilian employee, and 38 enlisted men, making

AT PRESENT

Four captains.
Four lieutenants.
Five civilians.
Fifty-six enlisted men.

In this branch work is slack and what there is of it is mostly useless duplication, yet men having excellent grounds for discharge meet every obstacle that their immediate higher officers can place in the way. These obstacles take the form of conditional recommendations with impossible conditions, return of papers several times for correction of minor mistakes, holding papers without action until repeated requests for action are made, and similar quibbles. Under these conditions the men are becoming discouraged and learning something different from the enthusiastic service once rendered. In one case of this kind cited above a man with dependents risked court-martial by going over the head of his company commander and making a personal appeal to the general in command of this port. His case was examined and he was discharged immediately. This would seem to show that these conditions are not caused by the higher officers but by the captains and lieutenants in command of detachments.

Aside from the matter of discharges, we desire to call your attention to the manner of recruiting the labor and utilities detachments at this port. After the signing of the armistice men who enlisted in combatant companies, with the understanding that the act of enlisting gave them their choice of service, were transferred to labor and utilities detachments, while their comrades were demobilized. A particularly flagrant case of this kind is at hand. A private, formerly of the Second Engineers and 16 months in France, a veteran of Chateau-Thierry, gassed, and wounded so that the hearing of one ear is lost, was transferred to the utilities detachment as a house painter two weeks after arriving in this port. This does not seem to be justice to the men who were sent away with cheers and promises as to the welcome that awaited them when they came home.

Respectfully,

[Signed by a number of sergeants and other enlisted men.]

Some of the men object very properly to being worked indefinitely alongside of civilians receiving high wages.

EDGEWOOD ARSENAL,
Edgewood, Md., January 16, 1919.

HONORABLE DEAR SIR: Having read with interest the article in today's New York World that deals with your activities in Congress as relating to the speedy discharge of soldiers, I am taking the liberty of writing you on this subject.

Permit me to acquaint you with a few facts concerning the attitude of the officers at Edgewood Arsenal in so far as the discharge of enlisted men is concerned:

Out of a personnel of some 7,500 men they have already discharged some 4,000 enlisted men and those officers who had signified their willingness to get back into civilian life. No one seems to know what method was pursued in discharging the men, but we do know that when they got rid of this amount they seemed perfectly satisfied, and we know now that when a soldier goes to the trouble of having papers and affidavits filled out requesting his discharge, and giving as the reasons dependency or the fact that he has a good job awaiting him, he is plainly told that his application for discharge will not be considered, because the whole outfit will be discharged in the course of a few weeks. We have been told this for a good many weeks past, and it seems that there is always a few weeks between the time one wishes to get out and the time they are going to discharge us all. Sometimes they take a soldier's papers, and they are either thrown into the wastebasket or pigeonholed.

To make you better acquainted with conditions here, it will be necessary for me to briefly outline what we have been doing here. Perhaps you already know that this is the one place that the United States Army depended upon for their supply of poisonous gases, in bulk, in shells, and in hand grenades. The plant was constructed at a cost of some $60,000,000, a good portion of which represents the pay roll of civilian laborers who have worked alongside of $30-per-month soldiers, while they were reaping a harvest with fat pay envelopes every week. You can imagine what dangers are to be met with in a plant of this kind, where the poisonous gases are ever ready to leak out and snatch away some one's life or to maim them for the rest of their days. The highly paid civilians did not have to face any of those dangers, for they worked only on new buildings or in places well out of the danger zone, while all hazardous work was done by the soldiers. No one complained because of this state of affairs, for we all rejoiced in the fact that we were helping the cause by doing the work that was required of us, at the same time lamenting the fact that we were denied the privilege of going overseas.

Now, after the armistice has been signed things have changed. Most of the civilians have been discharged, and the soldiers, who have suffered all sorts of hardships and who have been denied all the privileges for which our armies were fighting, are compelled to stay here and do the work that could very well be done by civilians.

As in all big plants there are different departments here, such as operating, maintenance, and construction, and they are in turn subdivided into different branches, such as carpenter, plumbing, chemical, electrical, etc. Most of this sort of work, as you know, requires highly skilled labor, so the men appointed to do this work were selected by carefully going over the questionnaires. As I have stated above, the men who were discharged were selected without regard to what work they were doing. It seems as though they were trying to get enough of them out of the way so as to hold the rest here without any criticism from the War Department, and then the officers, who have better jobs than most of them ever had before, could remain here in peace. This slipshod method of discharging has made a shortage of soldiers in some sections of the plant. To offset this they have in a good many cases transferred soldiers who are skilled mechanics to such jobs as firing the boilers, hauling ashes, policing up, or to any common laboring work.

Our point is this: If the Government could afford to pay high prices for civilian labor prior to November 11, it could well afford to have this work done now by civilians and discharge the soldiers, who have done their bit here. Most of the boys have good jobs waiting for them on the outside. If the plea is made that we are needed here, we would gladly stay as civilians, for then we would at least be getting enough salary to get at least the enjoyment out of life that the Lord intended.

It is very evident that something is wrong. Doesn't it look very much as though the officers here are afraid of losing their good jobs? You can easily understand the feeling among the boys at this post, and you can see why none of us are very anxious to remain here at common laboring work in the uniform of a United States soldier. We have been issued but one winter dress suit and one pair of leggins, and still we are expected to work in those clothes and at the same time try to look halfway decent when we go on pass.

This plant up to November 11 has been run continually on three eight-hour shifts, and in addition we had one and one-quarter hour infantry drill each day and one and one-half hours' gas-mask drill three evenings each week. Sundays and holidays were an unknown quantity here. We have work day in and day out, receiving no credit and asking none. And all that we ask now is an immediate discharge, so that we can throw off the bonds of slavery or of conscripted labor, whichever you might call it. We appeal to you to champion our cause.

I might add that the officers are at a loss for enough work to keep all the soldiers busy, and many of us are told to hang around and be ready when wanted. With civilian labor and good management, this plant could be run with one-fourth the number of men that are now being used. When you consider that the Government has to clothe and feed a soldier as well as give him medical attention, it would be a saving over the present method.

Trusting that you will investigate this matter and offer what assistance you can to have us released, we feel that you will be rewarded by keeping the soldiers of Edgewood Arsenal good patriots of the country that they have served so nobly.

Respectfully, yours,

A SOLDIER OF EDGEWOOD,
Chemical Warfare Service, United States Army.

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45 BROADWAY, NEW YORK CITY.

DEAR SIR: Seeing your name in this morning's World as advocating the release of men in the Army, allow me to congratulate you on your stand in this matter.

We enlisted men stationed at the above address in the Army railway traffic service are working with civilians, who, by the way, are in the majority here, who are receiving from $1,000 to $2,400 per year for doing the same work as we are. Now that the war is practically over, I can not see any reason why this service is not made a civilian organization, especially as we are now handling foodstuffs for civilian relief over in Europe. Why should we work for civilian relief over there when we only get $30 per month? Why can not we receive our discharge and then take us on as civilian employees and let us earn a livable salary? It seems to me as though some of our junior officers are "pulling" some of same stuff as you stated in the morning paper.

You would do us young fellows a great favor by looking into this and seeing that justice is done.

——— ———.

I beg pardon for not signing my name, but I am in the United States Army and afraid to open my mouth.

ABERDEEN PROVING GROUND,
Aberdeen, Md., January 22, 1919.

* * * * * * *

There are some 5,000 men here, and to date only about 5 per cent of these have been discharged. Men ordered discharged on December 3 last have been held until January 20, and claims made on industrial grounds are given no consideration whatever, in violation of War Department Circular No. 6, 1919.

During the entire period of the war the soldiers were employed on the construction work side by side with civilians drawing high wages for doing the same work. And all this while they did it cheerfully; but since the armistice has been signed this number has been increased by adding men who had formerly done work of a military character. We consider this a gross injustice. If the Government is so solicitous about taking care of discharged soldiers, why are they not discharged and put to work as civilians, or, at the least, given indefinite furloughs and made to work here at civilian wages?

Is it due to the fact that—we'll be lenient and call it the gross inefficiency of the commanders of this post—the construction work has been done at what is really a criminal waste of money, and they now wish to get some results without their appearing in the construction costs? We can see no other explanation for the way we are being treated.

For obvious reason it would be useless to give my name, but nevertheless I hope you may see fit to give this matter some attention with a view of getting a square deal for the men at Aberdeen.

Yours, very respectfully,

ONE OF THE FIVE THOUSAND.

While we are warned frequently that the number of unemployed is rapidly increasing in many places, many men who are the owners or managers of large enterprises, and if discharged would be able to give employment to others, are, nevertheless, held for menial service.

The writer of the next letter filed affidavits showing that he is the owner, proprietor, and manager of a large farming and stock-raising enterprise in Minnesota, but he is refused his discharge and held as an enlisted men in a supply train in an inland camp:

DEAR SIR: I fortunately secured an account of your speech of 15th instant in Congress, and would like to say that you covered matters almost identically as they stand in the division supply train to which I belong.

I have been endeavoring to secure release from service since early in December, and all efforts have been "frozen out" in some manner or other. I am inclosing you my original petition, which was recently disapproved, and certified copies of the affidavits I submitted indorsing my petition for discharge. I have been in communication with Hon. C. B. MILLER, Member of Congress, who knows of me as a resident in his district, and who has been advising me in my efforts for discharge.

I would refer you to him regarding my standing, and possibly you could cooperate with him in securing my release from service. I certainly believe that from my experience and training that I could be of more value to the country in agricultural production than as I am now being held, especially when a man could be trained to do the work I have been doing in less than a week. It is very urgent for me to get released immediately to get ready for the coming season's planting of crops, etc.

I certainly hope that you can do something in my behalf, as from your position on Committee on Military Affairs you seem to be our last place of appeal.

The writer of the next letter is the sole manager of a large business in New York City.

DEAR SIR: I read with considerable interest your speech regarding men being held in camps contrary to War Department orders.

I was ordered discharged on an industrial claim on January 1, and through a technicality was held up and finally my order for discharge was revoked.

Am inclosing copy of a letter which I have sent to the camp commander, which I have been told by disinterested parties is a very clear and legitimate case; but I have been informed by others in touch with these matters in camp that it will do no good.

This is an injustice, but an enlisted mann has absolutely no redress in the Army and can do nothing to help himself.

Before entering the military service I was the sole manager of the above business, in which I am associated with my father. It has been a hardship on both him and my mother, who has tried to help him to the detriment of her health, during my absence; but they made this and other sacrifices willingly while the war was on.

It is torture to me, knowing that this condition could be very easily relieved, and I know it is the intention of the Government to remedy such conditions with the least possible delay.

However, instead of this system being followed, thousands of men have been discharged who are walking the streets unable to obtain employment, while most of the men being retained are of the caliber who can return to their old positions, which are generally above the average, as these men are being held because of their known superior ability.

Anything you can do to help me in this matter will be gratefully appreciated, and your speech has earned the respect of thousands of men in this camp who are being dealt with as outlined by you.

DEAR SIR: I am a farmer, as inclosed papers will show. Every day that I am away from home lessens my chance for a crop this year and goes that much closer toward the ruin of my enterprise.

I have sent the inclosed papers through military channels twice. Once after War Department Circular 77 went through, and my application was disapproved. Since the armistice was signed we have been of no use to the Government, as we have done nothing of value.

In the spring of last year I was told that the Government needed my crop better than my service; I prepared for a big crop. After I was through with spring work, my local board informed me that the Government had given orders not to exempt farmers any more, and told me to enlist, as I would be drafted in a few days.

I brought my horses home to my father's farm, sold two, and enlisted for the war.

I got a furlough for harvest, thrashed out 3,400 bushels of grain, and returned to the Army.

I write this in good faith, and kindly ask your advice as to what can be done.

Very sincerely,

——— ———.

DEAR SIR: It is very urgent and imperative that I again resume my business for the reasons that my investments, especially in the ——— Co., of ———, is in jeopardy and in imminent danger of great loss to me as well as others interested in the above corporation. For some time prior to my induction into the service I was, and still am, treasurer of the above corporation and as such handle all the finances and participate in the general management of the business. It is quite a large concern, employing a great many hands, but since my induction into the service the capacity has been decreased to about 40 per cent, due to my inactivity.

* * * * * * *

I fear that unless I am immediately discharged that the business will result in complete and disastrous failure.

Maj. ——— ———, who is my commanding officer, claims that I am indispensable and can not be spared. As a matter of fact, I am doing ordinary clerical work which could readily be performed by a schoolboy of ordinary intelligence and though there are many other men in the same department with me doing the identical work that I am and who have not as good a claim for discharge as I have are being discharged. There is no question in my mind that I am being discriminated against, presumably because I am a good deal better off financially than others.

* * * * * * *

I am an employer of a great many men, and were I given an opportunity to resume business again I am sure that the capacity of my plant will run 100 per cent. Will you, therefore, be good enough to have my case investigated with a view to obtaining my immediate discharge?

Very respectfully,

——— ———.

RECONSTRUCTION DIVISION, COMPANY E,
WALTER REED GENERAL HOSPITAL,
Washington, D. C., January 21, 1919.

DEAR SIR: Prior to my enlistment, April 24, 1918, was employed by the American Bank Note Co., New York City, as a steel bank note engraver, and am still under contract with said concern as such. There being only 85 men trained as such in the country, I feel it imperative that I hastily resume my activities with this company and live up to my contract. The company has written to the commanding officer of this post and to myself, trying to effect my discharge at an early date, but without success.

Have a partially dependent mother, who is not in the best of health, and who at all times is looking for my early return.

Was sent to this post in October as an instructor of engraving, but since that time have been used in the capacity of office boy and clerk; still, on requesting discharge, was told that I was an essential man and that my services were very necessary—this selfsame story being told to all men making application.

The following are selected from a large number of letters covering the entire subject of the refusal to grant discharges and some of the reasons:

SIR: Permit me to thank you in the name of the boys of this camp for your true statements which appeared in this morning's papers.

Your remark about the cause why some officers decline to approve claims for discharge is correct. * * *

I am going to give you a true case of the type of officers who are invested with the power of the life of their men. I say life, because in some cases where they refuse to recognize the claims of their men the life and death of some relatives are dependent on the decision of the commanding officer.

We have a lieutenant, named ——— ———, who is the head of this detachment; he is a shyster lawyer from Wilkes-Barre, Pa. He is married, has seven children, and yet maintains a home for another woman in Trenton, N. J. This is the type who has turned down almost every application made to him, no matter how important the case may be. You may investigate this case; it will provide you with food for thought; but do not use any method which may bring disgrace on his family. They should not be made to suffer.

I have given you a true case. Such a man should not be permitted to make hundreds of Americans—good Americans—unhappy.

I can not sign my name, but you will find my statements correct. Personally I have no grudge, nor ax to grind, but some of the men here have related to me their cases, which are truly heartbreaking. Please keep this letter to yourself.

A BLUE-BLOODED AMERICAN WHO HATES TO SEE THE GOOD NAME OF THE ARMY SUFFER BECAUSE OF A FEW MEN.

WALTER REED HOSPITAL,
Washington, D. C., January 16, 1919.

MY DEAR SIR: I have just read with pleasure your interesting article in this morning's paper pertaining to the discharge of men from the Army. You are to be congratulated when you say that the hold-up is due to the mann higher up, fearing he would be demoted. If you or some reliable person would investigate matters here at the hospital, you would find what you say is correct.

1. First we were told to make application for discharge, which we did.
2. Those who had a little pull were discharged.
3. Tuesday night we were told that no discharge would be granted at the present time, and had our applications handed back. Why? Because our detachment commander is afraid of losing his "title"—

rank; being a drug user, and half the time you talk to him his mind is on something else.

An investigation would do a little good. Investigate the men and their applications; then investigate the officers.

I would sign my name and rank, but I am afraid this letter might go astray, and then I would be liable to court-martial; however, if you should investigate and run across me—which you would—I will then make myself known.

—

DEAR SIR: We were happy to read of your speech in a clipping that we received from New York.

You hit the nail on the head. If a man as fearless and just as you could only witness conditions at this hospital, we boys would get a square deal if it were in your power to grant it.

Here is our plight: We are a company of over 700 men, and the amount of patients total 100 less. Over half of us come from New York and Connecticut and other States up North. We were drafted and taken from the Infantry and transferred to the medical detachment. When we ask questions pertaining to discharge we are laughed at and told by officers that we are "out of luck" for being in the medical detachment. We are willing to do our duty, but when we are told we are out of luck for being in a branch of service that we never did want it makes a bitter and disgusted bunch of men. The truth is, Senator, that we are slaves disguised as soldiers. Your charge about officers ignoring requests for discharge is correct. We all realize the fact that we are being held in order that some parasite holds onto his commission. The southern fellows don't mind it so much, as most of them can go home and back on a 36-hour pass. We poor northerners, though, are stuck. They could easily send us to our homes, and we wouldn't mind staying in the Army a little longer if we could be transferred North. We do all kinds of dirty work—mopping, sweeping, oiling, dishwashing, and all the disagreeable work attached to the wards. They won't consider our applications; not even send them to camp headquarters; and they don't even let us know the reason for disapproval. And the Government's excuse for inducting us was that we must fight and defend the country. And now that we are in it we are driven like slaves. And away down here, a thousand miles away from home, a northern fellow gets it pretty rough. He can't get a furlough unless a member of his family dies, and even then they "red tape" him and he does not get home in time for the funeral.

Senator, all of this is the truth, and anyone of us will swear to these facts if protected. Our opinion of the Army is formed, and we have decided that it is slavery. Anything you can do to get justice to us northern boys, Senator, we will more than appreciate.

Respectfully,

NORTHERN BOYS OF THE MEDICAL DETACHMENT,
Base Hospital, Camp Gordon, Ga.

P. S.—We would sign our names, but fear it is mutiny to do so.

—

JANUARY 16, 1919.

DEAR SIR: Inclosed with this note is a clipping from the New York World, dated January 16, with heading of "Men held in Army to keep officers' jobs," and in this address to the House allow us to inform you that you have struck the nail squarely on the head, and have spoken the sentiments of some four or five thousand men of this post who are unable to express for themselves. Let us assure you, dear sir, that your message sounded the greatest reveille this camp has ever heard, and we, each and every one of us, thank our God that you have started the wheels turning in a very great and legitimate cause. So positive are we that your findings are correct and we pray the good move will "carry on."

This small camp contains hundreds of officers, generally juniors or lieutenants. Their purpose here is quite a mystery, but one that we have no reason to fathom, further than that which most directly concerns us. Since we have had the privilege of making application for discharge from military service, it is safe to say 75 per cent of the men at this post availed themselves, while the per cent actually discharged will record very law, indeed. While this is an arsenal containing some four or five thousand men, only a few hundred are employed in the handling of munitions, and, there being no exercise or drill, the monotony and discontent and ill feeling created here will truly picture this branch of the service a most undesirable one. Speaking in no way from a personal point of view, as it is very evident that thousands of men at this post are fairly begging to return to their families, to their places of business, to their positions, and to their employers where their time will not be spent in idleness and waste, and where their bills are now piling up against them every day. Sincerely, Mr. TILSON, we feel very gratified to you and your high office for the course you are pursuing, and assuring you the cooperation we are so feebly able to lend, and wishing you the success you have so deservedly earned, believe me,

Cordially, yours,

—

HONORABLE SIR: I—and so have a great many other soldiers here at camp—have read of your fight against the Army officers holding the men in the Army longer than necessary.

So we thought it might be of interest to you to know of something that is being put over on the soldiers here in the machine-gun school. The commandant of the school, Col. H———, was approached the other day by Gen. E———, who has just returned from Washington. E——— is in command of the camp. He said to H———, "We'll have to get these drafted men out of the machine-gun school. Congressmen and Senators have made repeated complaints, and the War Department is after The Adjutant General, and he is raising hell with me. We don't want a scandal, you know. The men want to go home, and we couldn't under these circumstances get anything out of them anyway. They have been designated for discharge." The colonel replied, "Well, the men shouldn't be dissatisfied. There'll be men in France eight months longer, and we'll get them home in six months. The draft law says we can hold them four months after peace is signed." "I know," said the general, "but we've got to get them out." "Well, what's going to become of me then?" said the colonel. Now, this is not hearsay or an Army rumor, but the positive, thoroughbred, through and through truth. If Col. H———'s morals of holding these men to hold his job is any different from those of the Kaiser, who used men to sustain his ambitions, I can't see it. The men are red hot. It is an unnecessary expense. There is hardly a man in the machine-gun school who doesn't earn $35 to $50 a week in civil life. Many of them have been urged by their former employers to get released. Some will lose their old jobs if indefinitely detained. All will lose the familiarity with their professions and businesses that gets further away every day. Some are married; most of them have dependents. The company commanders have instructed the first sergeants not to send any man to them to talk about making application for discharge, because they will approve none whatever.

Now, Mr. TILSON, there is plenty of militarism in our Army, and some day the public will know it. We have censorship and military restraint now. However, some one should show up these Army officers who are making men make unnecessary sacrifices, who are forcing endless hours of unnecessary anxiety to our loyal wives and mothers. Something should be done to relieve or to punish these militarists. They are breeding bolshevism, anarchy, and socialism in the souls of men who were sterling patriots. Indeed, they are traitors to their countrymen. The demobilization at the outset should have been put in the hands of a civilian commission of able sociologists. It should be now. It is more of a social than a military problem. The Army officers—even the West Pointers—are an ignorant set outside of guns and drills. That is, I mean those that are trying to make the Army a business and jump from $20 a week income to reserve commission and then a regular commission. They are using their authority in a cowardly manner. Denying a soldier the right to make application for discharge is taking a right away from him by War Department Bulletin 77. It never was posted in the machine-gun school, but a few select ones were called in, told about it, and got out. Then things were closed up. The men that got out were most of them fellows they were afraid of—afraid they'd start something with a newspaper, etc.

Now, I am not a Connecticut boy, but we are all good Americans, and thought it might interest you to know what is going on to any American soldier even if it isn't one from your State.

Sincerely,

AN OUTRAGED SOLDIER.

P. S.—I have a $50 a week job being held open for me. I am the sole support of a sister who I am trying to educate. I have spent $200 more than I have earned trying to make ends meet since I've been in the Army.

I'd sign my name, but something might happen, and good gracious but we do hear a lot about Fort Leavenworth.

—

HOBOKEN, N. J.

DEAR SIR: This is just to let you know that the victims of the conditions laid bare by you before the House yesterday are with you. All that we ask is a square deal. We're not getting it.

You could not have stated the conditions prevailing in Hoboken with greater accuracy if you had investigated them. It would take no searching investigation to discover many holding better jobs than they ever held in their lives right here, and who are doing all they can to hold on to them as long as they can. Why, the writer knows of a case where one of these "patriots" gave one of the boys an awful bawling out for trying to secure his discharge, telling him that he was unpatriotic, and a lot of other stuff.

I do not think it is so much the fault of the War Department as it is of these "patriots." The department naturally has to rely, in many cases, on such men for information concerning conditions. They will not let anybody out here, except a chosen few, and yet the men know that 50 per cent could be let go and the machinery would go on, not only as it is but with greater efficiency. Too many cooks spoil the broth. Your criticisms are constructive. Go to it.

Respectfully, yours,

A VICTIM.

Here are a few selections from a mass of letters received from dependents, friends, employers, and others outside of the military service:

NEW YORK, N. Y., *January 20, 1919.*

Hon. JOHN Q. TILSON,
House of Representatives, Washington, D. C.

SIR: I have read with a great deal of interest the article in the New York World on January 15 quoting from your speech of that date on the subject of men being detained in Army camps under unfair conditions.

As I am a frequent visitor of a camp where the conditions regarding the men's discharges are identical with those stated by you, I take the liberty of bringing it to your attention.

At Camp Kendrick, Lakehurst, N. J., a soldier whom I know personally has tried repeatedly to obtain his discharge, as he is actually needed at home, and his former position is open for him for a limited time. Although his application has been in for over a month they have taken no action on it whatever. However, they are discharging the men by lottery, and the few already discharged have been men with no dependents, no allotments, and men who have been in the guardhouse. Meanwhile, the great number of soldiers remaining in the camp are doing absolutely nothing.

This most certainly does not seem to be in accord with the orders of the War Department, and evidently there is something wrong somewhere.

If anything can be done to enable the men in this camp who, according to Government ruling, merit their discharges to obtain same, it would indeed be a valued favor and most deeply appreciated by all those affected by the prevailing conditions.

Yours, very respectfully,

EVA L. BARNETT.

—

MY DEAR CONGRESSMAN: Permit me to congratulate you on your stand in Congress for the boys in khaki. They will never forget what you are endeavoring to do for them.

I have a son at Camp Dix, N. J., who is held there in the mustering office, and is therefore one of the victims which you have so aptly portrayed in your speeches in the National House.

There are at present detained at Camp Dix in the mustering office 120 soldiers, most of them high-salaried men when they were drafted in the United States Army, and the major part of them could be discharged immediately without hindrance or detriment to the work there in hand. Their jobs are open for them as soon as they secure their discharges. Their retention there seems to be for no other purpose than to keep the captain in a better job than he ever had before in his life.

The Regular Army men who are at the Jersey camp could readily be detailed to do all the clerical work and would be glad of the opportunity. Twenty men, from what I learn, could easily handle all of it,

for there is so little in hand most of the time that the staff practically sit in idleness most of the time. In fact, the staff, according to reports, has been instructed by the officers in charge that when visitors appear upon the scene at any time to pretend to be very busy, whether anything is doing or not. Such a mandate is repugnant to American ideals, and, to say the least, savors of instilling dishonesty among the soldiers.

Permit me to again congratulate you, and should you need a résumé of conditions at Camp Dix, I am at your command.

Hon. JOHN Q. TILSON, M. C.,
Washington, D. C.

MY DEAR MR. TILSON: I want to congratulate you on your manly speech made yesterday in the House of Representatives. You gave them concrete facts, and I can furnish you with evidence along the line you spoke.

One of your constituents, F. D. Layton, secretary of the National Fire Insurance Co., of Hartford, wrote a letter to Secretary of War Baker in regard to a soldier who was employed by them, and who was urgently needed by his company. After some delay the letter was answered by The Adjutant General, who stated that the soldier should make application through his commanding officer. This the soldier has done, but it never reached any further than his commanding captain.

The soldier I refer to is ——— ———, Third Transportation Battalion, One hundred and fifty-fourth Depot Brigade, Camp Meade, Md. I have some very interesting correspondence regarding this case, and if you could use it I would be pleased to forward same. This is one of the most beautiful cases of "passing the buck" from The Adjutant General to the commanding officer and from the commanding officer to The Adjutant General.

Keep up your fight for justice, and the people will not forget you.

Believe me to be,
Very truly, yours,
——— ———.

DEAR SIR: Having read an article on your speech, in the Daily World, I take this liberty of calling your attention to a few flagrant cases in Camp Morrison, Va. I am an ex-soldier and just visited some buddies of mine at that camp, and heard from them that they made application for discharge, affidavits attached, and that Gen. Ferguson approved them, stating that they had sufficient reason for discharge. The major at Camp Morrison claims he can not spare them, although there are many men idle. I believe there are 130 patients and 190 medical personnel (approximately). The cases I have reference to all have good reason to be home. All cases of dependency, with positions waiting, and one case who has a farm and dependent mother.

I am taking this liberty, as my buddy told me they had been warned not to write to any Congressman or Senator, and from your article I feel that you have the interest of the men who sacrificed all they had to do their bit, and fair play would keep them all better citizens.

Hoping you will overlook my forwardness in taking this matter in hand, and do what you can to help these boys.

Sincerely,
HERBERT BROWN,
One who did his bit and knows.

WASHINGTON, D. C., *January 20, 1919.*

Hon. JOHN Q. TILSON, *Member of Congress,*
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: Please keep up the good work in connection with the Army subject. A thorough housecleaning is absolutely needed.

If opportunity serves, please don't neglect the United States Army automobile abuse here in Washington. This is obvious and scandalous. The Secretary of War evidently intends to permit his many aids to retain all the passenger cars, the same as war time. Every day on the streets one can see Army automobiles lettered "For official business only" or the like, obviously used otherwise. Well-dressed women are frequently ridden around; Army officers, even of ordinary rank, to the writer's knowledge, have United States Army cars, driven by enlisted men, call and wait for them to finish breakfast, then "tote" them to the office. Outside the big clubs, at the large theaters, etc., these cars can frequently be seen waiting, with their enlisted men chauffeurs. These Government cars are often seen on the streets on Sundays, obviously used for pleasure. Surely this is against all law. I am a taxpayer. If the Secretary will not stop the waste and abuse, Congress might properly take cognisance of it through restricting appropriations.

Very respectfully,
——— ———.

HOOPESTON, ILL., *January 20, 1919.*

Representative TILSON,
Washington, D. C.

DEAR SIR: My husband, Pvt. ———, of the Two hundred and seventy-first Aero Squadron, Aberdeen Proving Grounds, Md., has applied for discharge from the service, as I am wholly dependent upon him for support. I am recovering from a severe attack of the influenza, and this disease has left my physical condition greatly weakened so that I am unable to even partially support myself without permanently endangering my health. As I owe a doctor bill and a nurse bill which amounts to $5 per day for three weeks, and as my allotments just covers my board bill, it is very necessary that my husband be discharged at once. All these facts have been stated in the affidavits that my husband had made out. We have turned in an affidavit from my doctor telling the exact condition of my health; also two affidavits from relatives stating the extent of my dependency; also two affidavits from nonrelatives who know that we are married and know the extent of my dependency. My husband has given these documents, which have been duly signed and sworn to, together with a statement from his former employer that he has a position awaiting him on his return, and also a certificate of our marriage which we obtained from the county clerk in the county where we were married, to his commanding officer. Up to this time his commanding officer has ignored them, and my husband is powerless to help himself, for we understand that the commanding officer must sign them and send them to Washington before he will be given his release. In reading over this newspaper clipping I decided to write to you and acquaint you with the facts concerning our particular case in a vain hope that in some way you might be able to help us.

SIR: In looking over the evening paper of January 16, 1919, I saw the article in regards to "The neglect of discharged soldiers."

On December 14, 1917, my husband enlisted in the Ordnance Department of the United States Army for the duration of the war. We have been married since September 9, 1914, and previous to his enlistment he was my sole support.

It was impossible for me to get along on my allotment. As I was in poor health and had absolutely no means of support, I had to break up my home and store my furniture and go back to my mother's home.

Since the war has ended I have tried to build up my home again, thinking my husband would soon be out of service. He made application for immediate discharge, and I also wrote to his commanding officer some weeks ago, but up to the present his officer always tells him that he put the application through, but he doesn't know where it is held up.

Now, would you kindly advise me what steps to take, as I have tried to work, but my work is an awful strain on me and I will not be able to continue it much longer; but still it is impossible to get along on the allotment alone. My husband has been stationed at Raritan Arsenal since March, 1918. His present rank is ordnance sergeant.

JANUARY 16, 1919.

Hon. J. Q. TILSON,
House of Representatives, Washington, D. C.

MY DEAR SIR: I was very much interested in your remarks in the House yesterday respecting the retention of men in the service who have desirable situations open for them in civil life. I want to state a case that has come under my personal observation.

Mr. ———, who was my secretary, was drafted and reported at Camp Lee on the 2d of September. Notwithstanding the fact that he had a wife entirely dependent on him for support, he made no effort to be excused from the draft, but at once reported to his commanding officer. He was among a large number at Camp Lee selected for overseas duty, but prior to being ordered to some point of embarkation the armistice came.

As one of the trustees of the Columbia Hospital for Women, which, as you know, is a Government institution, and subsequent to the armistice I secured a place there as bookkeeper for this soldier at a salary of $1,800 a year, and so advised him; at the same time I wrote the commanding general at Camp Lee of this opportunity. The soldier also made application for discharge that he might accept this position. No action was taken and no reply was received, and we were compelled to fill this position at the hospital.

Later on, as president of the University Club, I offered Mr. ——— a situation there at the salary of $1,600 a year. I again wrote the commanding officer at Camp Lee, setting forth that this soldier had been deprived of one $1,800 position and hoped that he would be permitted to accept this. I even ventured to say that to retain him in the service was a rank injustice and a violation of the spirit of orders that had been issued from the War Department to release men who were married or who could obtain positions.

It seems to me that some officer, puffed up over the importance of his position, thinks more of retaining the services of this man at $30 a month, who is an efficient stenographer and typist and who is detailed for duty in the office of the camp adjutant, than of sympathizing with a man who has a wife to support on a salary of $30 a month.

I made representations of these facts to The Adjutant General of the Army and was told by him that action in this case was entirely within the jurisdiction of the commanding general at Camp Lee.

I am taking the liberty of bringing this case to your attention for further evidence of the rank injustice that is being done soldiers now in service, who need employment outside and who have been refused an opportunity to accept positions offered them.

I have the honor to be,
Very truly, yours,
——— ———.

P. S.—My last application to the commanding officer at Camp Lee, like the first, elicited no reply.

NEW YORK, *January 16, 1919.*

HONORABLE SIR: Had the pleasure of reading to-day in the New York World your speech, made in the House of Representatives, and will state that we have had a man in our employ for several years. He is doing guard duty in Portsmouth, Va. We have been holding his position open for him, but we can not do it indefinitely. He wrote us yesterday that 12 of his officers signed his papers for release, and the commanding officer refused to sign it, and he is still carrying a gun around some T. N. T. plant.

If you can help us to secure the release of this man, so that he can fill the position that is open to him, it will be much appreciated.

——— ———.

JANUARY 16, 1919.

DEAR SIR: The Public Ledger, of Philadelphia, to-day contains a speech which you made in the House about keeping men uselessly in the Army here. I cry aloud, Amen! to what you say, having gone through it and just released recently from Camp Dix, after a life-and-death struggle to get out.

Circular No. 77 seems to be a big joke to the officers; at least, it would seem so. To add to the irony of the thing, along comes the War Department with Circular No. 6—I guess to add to the mental anguish of the men held in.

I know of lawyers, business men, and a dentist who are being held at Camp Dix to check and recheck the documents signed by captains, majors, and higher officers. In the meantime, who cares that their business, professions, and families are suffering? More power to you. Keep up the good work, and hundreds of men will rise and call you blessed.

Yours, respectfully,
R. R. GRAMER,
District Manager.

LESLIE'S ILLUSTRATED WEEKLY NEWSPAPER,
New York, January 16, 1919.

Hon. JOHN Q. TILSON, M. C.,
Washington, D. C.

DEAR MR. TILSON: I was delighted to read your plain-spoken criticism of the military authorities in Washington, enmeshed, as they are, in red tape. If you could see some of the letters that come to my editorial desk from soldiers in the service, you would feel justified in continuing your comments. The public stands behind you in this matter.

Sincerely, yours,
JOHN A. SLEICHER.

Casualties in the Pennsylvania National Guard.

EXTENSION OF REMARKS
OF
HON. WILLIAM S. VARE,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

Mr. VARE. Mr. Speaker, under the leave granted by the House I print in the RECORD the following article from the Philadelphia Press of February 2, 1919, showing casualties in the Pennsylvania National Guard:

PENNSYLVANIANS WITH 3,890 LOSSES LEAD GUARDSMEN—2,389 CASUALTIES IN SEVENTY-NINTH—10,000 MEN STILL MISSING—SENT INTO ACTION JULY 16, TWENTY-EIGHTH WAS FOREMOST IN FIGHTING UNTIL ARMISTICE CAME—ASSISTED BY THE FORTY-SECOND—CROSSED OURCQ JULY 30 AND TOOK PART IN ARGONNE AND WOEVRE OFFENSIVES—GRAND TOTAL IS 59,592—17,434 OF MAJOR CASUALTIES ARE CLASSIFIED AS EITHER MISSING OR CAPTURED.

WASHINGTON, *February 1.*

Official tables of the major battle casualties of the American forces in France, made public to-day by Gen. March, Chief of Staff, show that approximately 10,000 men remain wholly unaccounted for nearly three months after the ending of hostilities.

The deaths, missing, and known prisoners are tabulated up to January 10 for each of the 30 combatant divisions of Gen. Pershing's army. The total is 56,592, of whom 17,434 are classified as missing or captured. An appended statement shows that only 29 American military prisoners were believed to be still in Germany on January 8, and that 4,800 prisoners had been checked up as returned, and 118 died in captivity.

Suffering 3,980 casualties, the Twenty-eighth Division, made up of Pennsylvania National Guardsmen, was harder hit than any other unit, with the exception of the Regulars, official figures show.

Trained at Camp Meade, the Seventy-ninth Division suffered the second highest number of casualties with 2,389, while the Seventy-eighth Division, made up of New Jersey, New York, and northern Pennsylvania draft men, had 1,825.

The heaviest loss in prisoners was also in the Twenty-eighth Division, 691 men being taken by the enemy. The Twenty-eighth Division was also second on the list in "missing in action," with 1,174, while the Seventy-ninth was third with 1,142.

The Twenty-eighth was ordered overseas about June 1, 1918, spent the fortnight of June 14 to July 1 in a training area, and then moved up to the front line, taking its position northeast of Parnay on July 16. From that date until the armistice was signed, with the exception of a brief rest period, the Pennsylvanians were in the forefront of the fighting.

The colorless files of the General Staff give the following brief details of the record of the Pennsylvania Guardsmen:

"July 28, crossed the Ourcq; July 30, joined Somme drive; July 31, in advance on the Vesle, with Forty-second on their left; August 6–9, moved to Vesle front, relieving Thirty-second; August 8–30, in advance to Vesle; September 4, advance elements crossed Vesle; September 5, crossed Vesle in force; September 6–7, in action; October 1, moved to Argonne, joined offensive; October 7, in Aire offensive, near Chatel Chehery; October 29, moved to east of Woevre; November 2–11, advance in Woevre."

MOST OF 10,000 DEAD.

Some portion of the great body of missing men may be located as the return of the Army thins out the American force in France. Indications are, however, that the majority of the 10,000 finally will be added to the roll of honor shown in the tables of those killed or died of wounds, now recorded as 39,158 men.

To that figure, also, must be added 1,551 men of the Marine Brigade figures for which, not carried into the tables, were obtained from official sources. This brings the grand aggregate of deaths from battle up to 40,709 on returns estimated officially to be 95 per cent complete. As figures on missing and prisoners of the Marines are lacking, the number of unaccounted for which finally will be added to the roll of the dead can not be accurately estimated.

The Army tables, however, give a total of 14,649 men missing in action, and 2,785 known prisoners, making up the 17,434. The statement shows that the Army rolls record 4,918 American military prisoners accounted for. Admittedly, there are many possibilities of error, but the statement says it is anticipated that the indicated unaccounted-for list of 12,516 will be brought "down to less than "10,000."

The tables do not furnish any data as to the wounded or deaths other than those resulting directly from battle. A new estimate of the complete figures on American casualties is therefore not possible. It is significant, however, that up to to-night the War Department has published the names of 43,882 men killed or died of wounds, as against 39,158 shown in the 15 per cent tables. The difference is made up by additional returns since the tables were closed January 10.

ESTIMATE BY PERSHING.

On November 17 Gen. Pershing estimated that his total killed and died of wounds would be 40,455. Presumably publication of the lists of these known deaths and exclusive of the unaccounted for is nearly completed, having exceeded the estimate by more than 3,000, due in part to additional deaths from wounds and to the listing as dead of men formerly reported missing.

The names of 149,418 wounded had been published up to to-night compared with a November estimated total of 189,955. Of those missing in action 11,676 have been published against the estimated 14,260 total and compared with the 17,434 missing and prisoners shown in to-day's tables.

Examination of the losses by regiments shows clearly that the brunt of the fighting fell on the infantry. In every division which got into action losses were many times greater, even proportionately to the strength of the units, than those of the artillery, machine-gun battalions, trench mortar batteries, or engineers. A score of regiments lost fully one-third of the full strength of 3,700 men in killed, died of wounds, missing, and prisoners.

When figures on the wounded are available officers believe the total casualties in several regiments may equal the full strength.

SLIGHT LOSSES IN ARTILLERY.

The artillery regiments escaped with relatively light losses. In some cases machine-gun battalions suffered severely, and there are a number of the divisional engineer regiments that paid a heavy toll for their place in the front lines.

The records of the Twenty-sixth (New England National Guard), the Twenty-seventh, and Seventy-seventh, both New York divisions, the Thirty-second, the famous Forty-second (Rainbow), and the Seventy-ninth (Pennsylvania, Maryland, and District of Columbia troops), with more than 2,000 casualties each, tell of the work they did. These and every other National Guard or National Army division that was given an opportunity at the front won its ground despite losses in men. The totals for all divisions, exclusive of the two regiments of marines in the Second Division, are:

Killed in action	27,762
Died of wounds	11,396
Missing in action	14,649
Prisoners	2,785
Grand total of major casualties	56,592

The figures for each of the 30 combat divisions included show the following totals of major casualties:

First (Regulars), 5,248; Second (Regulars), 2,965; Third (Regulars), 3,017; Fourth (Regulars), 2,986; Fifth (Regulars), 2,504; Sixth (Regulars), 122; Seventh (Regulars), 326.

Twenty-sixth (New England National Guard), 2,864; Twenty-seventh (New York National Guard), 2,194; Twenty-eighth (Pennsylvania National Guard), 3,890; Twenty-ninth (New Jersey, Virginia, Maryland, Delaware, and District of Columbia National Guard), 1,117; Thirtieth (Tennessee, North Carolina, and South Carolina National Guard), 1,772; Thirty-second (Michigan and Wisconsin National Guard), 3,218; Thirty-third (Illinois National Guard), 1,171; Thirty-fifth (Missouri and Kansas National Guard), 1,733; Thirty-sixth Texas and Oklahoma National Guard), 896; Thirty-seventh (Ohio and West Virginia National Guard), 1,250; Forty-second (Rainbow), 2,950; Seventy-seventh (New York Metropolitan National Army), 2,692; Seventy-eighth (New York and northern Pennsylvania National Army), 1,825; Seventy-ninth (southern Pennsylvania National Army), 2,389.

1,355 CASUALTIES IN EIGHTIETH.

Eightieth (New Jersey, Virginia, Maryland, Delaware, and District of Columbia National Army), 1,355.

Eighty-first (Tennessee, North Carolina, and South Carolina National Army), 870.

Eighty-second (Georgia, Alabama, and Florida National Army), 1,592.

Eighty-eighth (Minnesota, Iowa, Nebraska, North Dakota, and South Dakota National Army), 66.

Eighty-ninth (Kansas, Missouri, and Colorado National Army), 1,525.

Ninetieth (Texas, Arizona, New Mexico and Oklahoma National Army), 1,585.

Ninety-first (Washington, Oregon, California, Nevada, Utah, Idaho, Montana, and Wyoming), 1,702.

Ninety-second (National Army, negroes), 211.

Ninety-third (National Army, negroes), 489.

In killed in action the First Regular division leads the list with 2,303. Other divisions with more than 1,000 men killed in action stand in the following order:

Third, 1,901; Forty-second, 1,702; Thirty-second, 1,694; Twenty-eighth, 1,544; Fourth, 1,500; Twenty-sixth, 1,388; Second, 1,383; Twenty-seventh, 1,302; Seventy-seventh, 1,275; and Thirtieth, 1,084.

The only division to lose more than 1,000 men died of wounds was the First, with 1,050. Only three divisions had more than 1,000 missing in action—the First, with 1,789; the Twenty-eighth, with 1,174; and the Seventy-ninth, with 1,142.

The heaviest loss in prisoners was in the Twenty-eighth Division, with 691 men taken by the enemy. The Twenty-sixth was second, with 354 taken prisoner, and the Seventy-seventh third, with 336.

Table showing loss by regiments place the four infantry regiments of the First Division as heaviest sufferers, with from 1,150 to 1,264 major casualties each. These regiments are the Sixteenth, Eighteenth, Twenty-sixth, and Twenty-eighth Regulars. Figures for the Fifth and Sixth (marine) Regiments in this division are not given.

ONE HUNDRED AND TENTH INFANTRY HARD HIT.

Among the National Guard divisions the heaviest regimental losses recorded are for the One hundred and tenth Infantry, of the Twenty-eighth Division, 1,142 men, while the losses of the One hundred and ninth Infantry, of the same division, stand second, at 1,112. Next is the One hundred and second Infantry, of the Twenty-sixth Division, with a total of 986; and fourth is the One hundred and sixty-fifth Infantry, of the Forty-second, with 879.

In the National Army division the regimental losses of the Three hundred and sixteenth Infantry, Seventy-ninth Division, were the heaviest, totaling 800.

Two tables of prisoners taken by the enemy, one prepared by the American Red Cross and the other by The Adjutant General's office, were given out. Both show much larger totals than the announced list of known military prisoners, but the latter will be increased, and the number of missing in action correspondingly decreased by checking. The Red Cross total is 5,243, including 4,857 military prisoners. The Adjutant General reported 3,401, of which 4,916 were military prisoners.

The Adjutant General's records show 480 prisoners have been released and 118 died in captivity. Practically all prisoners now are out of Germany.

MARINE LOSSES.

Figures for the Marine Brigade of the Second Division, not carried in the War Department summary, complete to January 1, show killed and died of wounds, 56 officers and 1,507 men; missing in action, 2 officers, 695 men; severely wounded, 91 officers and 1,802 men; slightly wounded, 186 officers and 5,296 men; gassed, 31 officers and 1,854 men. Total casualties for all causes, 365 officers and 11,152 men.

The identification of the various divisions given is taken from the latest official list issued by the War Department, but since it was printed there have been made numerous changes. In the case of the Seventy-eighth Division there has been information to show that troops from western New York, New Jersey, and Delaware composed it, whereas the department's list gives New York and northern Pennsylvania troops.

Later information has indicated that the Eightieth Division had troops from Virginia, West Virginia, and western Pennsylvania, instead of New Jersey, Virginia, Maryland, Delaware, and the District of Columbia, as given in the official table.

SOLDIERS TRAINED AT MEADE LOST MORE SINCE SEPTEMBER 26 THAN ANY OTHER DIVISION—1,174 MISSING IN ACTION—TWENTY-EIGHTH, WITH 641 TAKEN BY ENEMY, TOP CAPTIVE LIST—SEVENTY-EIGHTH IS HARD HIT—ONE HUNDRED AND NINTH INFANTRY CUT—RANKS OF REGIMENT COMPOSED MOSTLY OF PHILADELPHIANS DEPLETED IN BATTLE OF MARNE.

The Seventy-ninth Division, composed of selective-service men from eastern Pennsylvania and Maryland, who trained at Camp Meade, lost more men between September 26 and the end of the war than any other division in the American Army.

Ten American divisions have a larger number of major casualties than the Seventy-ninth, but every one of these 10 were fighting in France long before the boys from Camp Meade.

The Seventy-ninth never went into action until the morning of September 26, but it lost 2,389 men.

The other 10 divisions which exceeded it in losses and the dates they first went into action show how terrible the losses of the Seventy-ninth must have been in the drive on Montmaucon and northeast of Verdun to reach a total so high. Those divisions are:

First, 5,248; in action May 28.
Third, 3,617; in action June 1.
Second, 2,965; in action June 15.
Twenty-eighth, 3,890; in action July 15.
Forty-second, 2,950; in action July 15.
Fourth, 2,986; in action July 18.
Twenty-sixth, 2,864; in action July 18.
Thirty-second, 3,213; in action July 29.
Seventy-seventh, 2,629; in action August 1.
Fifth, 2,504; in action September 13.

The first nine of the above divisions participated in the fighting which swept the Huns from the Soissons-Rheims salient, and some of them later joined with the Fifth Division, which made its debut at St. Mihiel.

The First Division may be said to have been fighting constantly for more than five months. In that time its losses were 5,248, while the Seventy-ninth, fighting just exactly a month and one-half, lost almost half as many men.

The Seventy-seventh Division, the only National Army division to have greater losses than the Seventy-ninth, only exceeded the latter by about 300 losses, although it fought desperately at the Vesle in August, long before the great September offensive.

Likewise, the Fifth Division, which lost but 115 more men than the Seventy-ninth, participated in the reduction of the St. Mihiel salient before going to the Argonne.

Even a further indication of the terrific losses in the Seventh-ninth as compared to other divisions which swept northward on a 20-mile front on September 26, is the loss in the Three hundred and sixteenth Infantry. That unit, attached to the One hundred and fifty-eighth Infantry Brigade, of the Seventy-ninth, had major casualties totalling 800, which were the greatest of all the National Army Infantry regiments.

FOUGHT FOUR MONTHS.

In fact, the Three hundred and sixteenth's losses were within 342 of the losses of the One hundred and tenth Infantry of the Twenty-eighth Division, and that latter unit has the distinction of losing more men than any other regiment in the Army. The One hundred and tenth, however, fought from July 15 to the end of the war—practically four months—while the Three hundred and sixteenth fought a month and one-half.

The governor of Kansas has raised a vigorous complaint against what he termed the useless slaughter of the men of the Thirty-fifth Division in the Argonne drive. The total losses of the Thirty-fifth Division, however, were 1,733. That figure is 656 less than the losses of the Seventy-ninth for the same period, but there has been no complaint so far from Pennsylvania and Maryland.

The discovery of the huge size of the casualties in the Liberty Division overshadowed to-day the previously known fact that the Twenty-eighth Division (Pennsylvania's Iron Division of Guardsmen) suffered more severely than any other division except the First Regulars.

It could not help to overshadow it, in fact, when the length of time the two divisions were in action is considered.

Four companies of the Twenty-eighth Division fought the Huns on July 15 and on July 16 one of the division's regiments became engaged in a four-day battle. This latter was the One hundred and ninth. When the Huns fell back across the Marne the Twenty-eighth Division was hurled in pursuit and overtook the enemy on July 29. It was engaged practically continuously from that time until September 7, when it was withdrawn, only to be hurled in again in the Argonne on September 26. It fought clear through to October 4, when it was withdrawn and sent to the St. Mihiel front. Two days before the armistice it began a new offensive.

The Seventy-ninth, however, went in on September 26 and was relieved October 1. It returned to the offensive November 1 northeast of Verdun, but did not begin actual fighting until November 7. From then on it was engaged in a bitter struggle. Summarized, the results are these:

Twenty-eighth Division, days of fighting, 50; total major losses, 3,890.
Seventy-ninth Division, days of fighting, 15; total major losses, 2,389.

The comparison is not to detract from the magnificent work of the Twenty-eighth or any other division, but merely to demonstrate what two brief offensives cost the selective-service men from eastern Pennsylvania and Maryland.

The Three hundred and sixteenth Infantry, named by Gen. March as having lost 800 men, is composed largely of Pennsylvanians, with about 30 per cent coming from this city. It was badly cut up north of Montfaucon between September 28 and October 1, and lost heavily again on November 7, when it took the Bois de Corneuilliers, northeast of Verdun.

The Seventy-ninth holds another sad distinction, a distinction shared by the Twenty-eighth. These two Pennsylvania divisions and the fighting First were the only divisions to have more than 1,000 men missing. While the First Division led in this respect, the Twenty-eighth and Seventy-ninth followed close behind with 1,174 and 1,142, respectively.

The Twenty-eighth Division holds numerous records. It lost more men prisoners than any other division, with a total of 691. Two of its Infantry regiments, the One hundred and ninth and One hundred and tenth, both composed 50 per cent of Philadelphians, had the greatest casualties in the entire Army. Its total major losses exceeded those of any National Guard or National Army division and were only exceeded by the First Division's losses. It stood fourth in the total number of men killed, with 1,544, being led by the Third, Forty-second (Rainbow), and Thirty-second (Michigan and Wisconsin National Guards) in that respect.

The catastrophe at the Marne on July 15 accounts for the manner in which the division exceeds in total losses in men missing and in prisoners. Four companies, two from the One hundred and ninth Infantry and two from the One hundred and tenth, were literally cut to pieces by the Germans on July 15. There were just about enough survivors from all four companies to form a single unit of 250 men when the action ended. This disaster also accounts for the preponderant losses of the two regiments, the One hundred and tenth with 1,142 and the One hundred and ninth with 1,112.

The bulk of the losses in the One hundred and tenth were sustained in four engagements—July 15, when two companies were almost wiped out; July 30, when the regiment took the Grimpette woods, along the Ourcq; in August, north of the Vesle; and in late September, in the attack on Apremont.

The losses of the One hundred and ninth were garnered on July 15 south of the Marne; in August, north of Fismette; in early September, south of the Aisne; and in late September, on the Argonne front, at Apremont.

The One hundred and ninth Infantry is composed of the old First Regiment, N. G. P., of this city, and the Thirteenth from the vicinity of Scranton.

The One hundred and tenth is made up of the old Third Regiment, of this city, and the Tenth, of western Pennsylvania.

LOSSES BY DIVISIONS AND REGIMENTS.

WASHINGTON, *February 1.*

A summary of the casualty tables giving the classification of losses by divisions follows, figures for the field signal battalions and divisional train not being included:

Casualties by divisions.

Division No.	Killed.	Died.	Missing.	Prisoners.	Total.
1	2,325	1,050	1,789	106	5,248
2	1,383	696	813	73	2,965
3	1,901	589	873	254	3,617
4	1,500	618	817	51	2,986
5	970	505	909	60	2,504
6	49	67	3	3	122
7	175	98	50	3	326
26	1,388	660	462	354	2,864
27	1,302	404	330	158	2,194
28	1,544	553	1,174	619	3,890
29	597	230	267	33	1,117
30	1,084	415	251	22	1,772
32	1,694	708	768	43	3,213
33	632	261	249	29	1,171
35	596	217	808	112	1,733
36	358	116	393	2	869
37	658	289	303	None.	1,250
42	1,702	723	440	85	2,950
77	1,275	552	529	336	2,692
78	915	339	508	63	1,825
79	880	352	1,142	15	2,389
80	636	337	286	96	1,355
81	203	86	79	2	370
82	808	324	271	189	1,592
88	20	33	7	6	66
89	838	427	256	4	1,525
90	936	327	287	35	1,585

Following are the detailed divisional tables, showing casualties by regiments:

Casualties by regiments.

FIRST DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry regiments:					
16	475	234	350	29	1,153
18	512	253	442	57	1,264
26	429	213	525	6	1,173
28	517	204	421	14	1,156
Machine-gun battalions:					
1	46	16	0	0	62
2	83	36	23	0	142
Artillery regiments:					
5	20	18	0	0	41
6	33	22	5	0	60
7	57	22	4	0	83
Trench-mortar battery:					
1	7	2	0	0	9
Engineer regiment:					
1	71	25	11	0	107
Total	2,233	1,050	1,789	106	5,248

SECOND DIVISION.

Infantry:					
9	547	230	229	40	1,033
23[1]	509	275	480	27	1,291
Machine-gun battalions:					
4	20	10	6	2	38
5	64	20	28	2	123
Artillery:					
15	22	13	6	1	47
17	13	8	3	0	24
12	25	14	1	0	40

[1] Marine Brigade, Fifth and Sixth Regiments, not included.

Casualties by regiments—Continued.

SECOND DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Trench mortar:					
2	4	2	0	0	6
Engineers:					
2	122	51	43	0	216
Total	1,383	606	813	73	2,965
THIRD DIVISION.					
Infantry:					
4	356	128	216	12	712
7	462	135	153	27	768
30	355	107	268	97	827
38	440	113	162	104	819
Machine gun:					
7	12	7	5	0	24
8	41	11	10	0	62
9	33	15	16	6	60
Artillery:					
10	47	13	5	3	68
76	33	13	2	0	48
18	30	17	1	3	51
Trench mortar:					
3	3	3	0	3	9
Engineers:					
6	99	26	35	0	160
Total	1,091	589	873	254	3,617
FOURTH DIVISION.					
Infantry:					
39	319	117	136	8	580
47	324	141	231	7	703
58	345	100	275	30	750
59	352	164	139	6	662
Machine gun:					
10	16	6	1	0	23
11	24	28	20	0	67
12	25	16	7	0	48
Artillery:					
16	33	17	2	0	52
77	13	9	4	0	26
13	14	11	0	0	25
Trench mortar:					
4	0	0	0	0	0
Engineers:					
4	34	14	2	0	50
Total	1,500	618	817	51	2,986
91	934	275	470	23	1,702
92	109	50	47	5	211
93	372	105	8	4	489
Total	27,762	11,396	14,640	2,785	56,592
FIFTH DIVISION.					
Infantry:					
60	192	75	371	32	670
61	213	81	73	10	377
6	276	109	247	7	639
11	330	147	241	9	736
Machine gun:					
13	12	8	1	0	37
14	23	10	8	0	41
15	44	10	7	1	68
Artillery:					
19	15	21	1	0	37
20	10	2	0	0	12
21	8	6	1	0	15
Trench mortar:					
5	0	2	0	1	3
Engineers:					
7	38	28	19	0	85
Total	970	805	569	60	2,504
SIXTH DIVISION.					
Infantry:					
51	7	11	1	0	19
52	5	7	0	3	15
53	14	21	1	0	36
54	14	11	0	0	25
Machine gun:					
16	1	0	0	0	1
17	0	1	0	0	1
18	3	4	0	0	7
Artillery:					
3	1	4	0	0	5
78	0	1	0	0	1
11	4	5	1	0	10
Trench mortar:					
6	0	0	0	0	0
Engineers:					
318	0	2	0	0	2
Total	49	67	3	3	122

Casualties by regiments—Continued.

SEVENTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
55	31	18	2	0	51
56	85	38	36	1	160
34	48	14	6	2	70
64	1	19	6	0	26
Machine gun:					
19	0	0	0	0	0
20	5	5	0	0	10
21	0	1	0	0	1
Artillery:					
79	0	1	0	0	1
80	0	0	0	0	0
8	2	0	0	0	2
Trench mortar:					
7	0	0	0	0	0
Engineers:					
5	3	2	0	0	5
Total	175	98	50	3	326
TWENTY-SIXTH DIVISION.					
Infantry:					
101	235	140	118	27	540
102	394	153	189	252	988
103	308	133	32	16	511
104	203	112	72	17	404
Machine gun:					
101	10	9	1	0	20
102	42	20	11	22	95
103	21	8	6	2	37
Artillery:					
101	26	21	3	3	83
102	30	38	1	1	70
103	25	9	0	9	43
Trench mortar:					
101	1	1	0	0	2
Engineers:					
101	13	14	9	5	41
Total	1,308	660	462	354	2,864
TWENTY-SEVENTH DIVISION.					
Infantry:					
105	213	95	92	5	425
106	215	77	137	134	663
107	418	99	25	16	558
108	208	85	56	3	392
Machine gun:					
104	8	4	0	0	12
105	17	12	1	0	30
106	8	4	1	0	13
Artillery:					
104	11	8	0	0	19
105	4	3	1	0	8
106	3	0	0	0	3
Trench mortar:					
102	0	0	0	0	0
Engineers:					
102	37	17	17	0	71
Total	1,302	404	330	158	2,194
TWENTY-EIGHTH DIVISION.					
Infantry:					
109	349	136	376	251	1,112
110	436	134	373	199	1,142
111	362	114	214	24	714
112	272	93	153	143	661
Machine gun:					
107	4	3	1	0	8
108	22	21	7	1	51
109	0	0	0	0	0
Artillery:					
107	21	11	3	0	35
108	19	9	3	1	32
109	17	15	8	0	40
Trench mortar:					
103	5	0	1	0	6
Engineers:					
109	37	17	35	0	89
Total	1,544	553	1,174	619	3,890
TWENTY-NINTH DIVISION.					
Infantry:					
113	111	48	26	5	190
114	155	72	161	26	414
115	135	49	30	1	215
116	164	18	24	1	207
Machine gun:					
110	6	4	1	0	11
111	7	12	7	0	26
112	18	8	13	0	36

Casualties by regiments—Continued.

TWENTY-NINTH DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Artillery:					
110	1	1	1	0	3
111	0	1	0	0	1
112	1	2	1	0	4
Trench mortar:					
104	0	0	0	0	0
Engineers:					
104	2	5	3	0	10
Total	597	220	267	33	1,117

THIRTIETH DIVISION.

Infantry:					
117	247	80	61	0	388
118	179	97	52	0	328
119	283	91	57	22	453
120	311	98	66	0	475
Machine gun:					
113	9	3	0	0	12
114	14	14	0	0	28
115	4	11	1	0	16
Artillery:					
113	4	2	0	0	6
114	9	5	1	0	15
115	4	1	4	0	9
Trench mortar:					
105	0	0	0	0	0
Engineers:					
105	20	13	9	0	42
Total	1,064	415	251	22	1,772

THIRTY-SECOND DIVISION.

Infantry:					
125	459	131	197	0	787
126	339	159	138	0	636
127	307	181	173	43	794
128	402	158	220	0	780
Machine gun:					
119	4	0	2	0	6
120	20	14	8	0	41
121	20	15	15	0	47
Artillery:					
119	33	20	11	0	64
120	9	15	3	0	27
121	20	15	12	0	41
Trench mortar:					
107	0	1	0	0	1
Engineers:					
107	2	4	2	0	8
Total	1,604	708	708	43	3,213

THIRTY-THIRD DIVISION.

Infantry:					
129	98	53	39	0	190
130	90	49	22	0	161
131	109	61	147	0	377
132	205	68	36	24	333
Machine gun:					
122	2	1	1	0	4
123	14	2	1	0	17
124	10	3	2	5	20
Artillery:					
122	12	6	0	0	18
123	3	5	0	0	8
124	14	10	1	0	25
Trench mortar:					
108	1	2	0	0	3
Engineers:					
108	8	1	0	0	9
Total	633	261	249	29	1,171

THIRTY-FIFTH DIVISION.

Infantry:					
137	111	44	134	18	297
138	170	56	192	2	420
139	115	42	116	51	324
140	128	43	292	39	502
Machine gun:					
128	7	1	2	0	10
129	16	4	5	1	26
130	14	4	15	0	33
Artillery:					
128	10	6	3	0	19
129	10	8	0	0	18
130	1	7	0	0	8
Trench mortar:					
110	0	0	0	0	0
Engineers:					
110	14	2	59	1	76
Total	596	217	808	112	1,732

Casualties by regiments—Continued.

THIRTY-SIXTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
141	123	40	123	0	285
142	134	40	80	0	274
143	27	12	119	0	158
144	41	14	53	0	108
Machine gun:					
131	0	1	0	0	1
132	9	6	6	1	22
133	1	0	2	0	3
Artillery:					
131	0	1	0	0	1
132	1	0	0	0	1
133	0	0	0	0	0
Trench mortar:					
111	0	0	0	0	0
Engineers:					
111	2	2	1	1	6
Total	338	116	393	2	869

THIRTY-SEVENTH DIVISION.

Infantry:					
145	167	81	107	0	355
146	117	34	63	0	214
147	119	48	58	0	225
148	201	98	71	0	370
Machine gun:					
134	2	0	0	0	2
135	24	7	2	0	33
136	22	16	1	0	39
Artillery:					
134	0	0	0	0	0
135	1	0	0	0	1
136	0	1	0	0	1
Trench mortar:					
112	0	0	0	0	0
Engineers:					
112	5	4	1	0	10
Total	658	289	303	0	1,205

FORTY-SECOND DIVISION.

Infantry:					
166	236	132	79	26	473
167	420	140	55	27	643
168	437	191	40	5	673
Machine gun:					
149	11	3	0	0	14
150	53	18	19	0	88
151	32	10	3	0	45
Artillery:					
149	14	4	3	0	21
150	22	10	1	0	33
151	14	16	0	0	30
Trench mortar:					
117	3	1	0	0	4
Engineers:					
117	27	10	10	0	47
Total	1,702	723	449	85	2,999

SEVENTY-SEVENTH DIVISION.

Infantry:					
305	202	150	119	0	531
306	203	91	173	155	622
307	320	132	85	71	608
308	343	105	125	109	682
Machine gun:					
304	2	3	0	0	5
305	22	9	5	0	36
306	42	9	1	1	53
Artillery:					
304	25	10	2	0	37
305	15	9	6	0	30
306	16	10	2	0	28
Trench mortar:					
302	0	0	0	0	0
Engineers:					
302	25	24	11	0	60
Total	1,275	552	529	336	2,692

SEVENTY-EIGHTH DIVISION.

Infantry:					
309	209	78	260	14	561
310	242	79	99	9	429
311	207	77	97	35	416
312	188	79	38	5	301
Machine gun:					
307	1	2	0	0	3
308	13	9	6	0	28
309	16	6	1	0	23
Artillery:					
307	8	5	4	0	17
308	20	4	2	0	26
309	1	4	0	0	5

Casualties by regiments—Continued.

SEVENTY-EIGHTH DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Trench mortar:					
303	0	0	0	0	0
Engineers:					
303	10	5	1	0	16
Total	915	339	508	63	1,825

SEVENTY-NINTH DIVISION.

Infantry:					
313	167	76	223	5	471
314	195	53	206	1	455
315	217	79	277	6	579
316	262	115	420	3	800
Machine gun:					
310	5	1	0	0	6
311	11	7	4	0	22
312	15	9	4	0	28
Artillery:					
310	1	1	0	0	2
311	1	0	1	0	2
312	0	1	0	0	1
Trench mortar:					
304	0	0	0	0	0
Engineers:					
304	6	10	7	0	23
Total	880	352	1,142	15	2,389

EIGHTIETH DIVISION.

Infantry:					
317	103	43	4	7	157
318	87	62	54	2	205
319	104	96	90	84	434
320	208	76	112	3	399
Machine gun:					
133	12	9	0	0	21
314	3	5	0	0	8
315	8	5	0	0	13
Artillery:					
313	2	2	0	0	4
314	22	20	3	0	45
315	13	8	9	0	30
Trench mortar:					
305	0	1	0	0	1
Engineers:					
305	14	10	14	0	38
Total	636	337	286	96	1,855

EIGHTY-FIRST DIVISION

Infantry:					
321	43	25	6	0	74
322	61	13	27	1	102
323	19	12	3	0	34
324	41	12	14	1	68
Machine gun:					
316	2	2	1	0	5
317	2	3	0	0	5
318	5	1	7	0	13
Artillery:					
316	28	13	18	0	59
317	0	2	0	0	2
318	0	2	0	0	2
Trench mortar:					
306	0	0	0	0	0
Engineers:					
306	2	1	3	0	6
Total	203	86	79	2	370

EIGHTY-SECOND DIVISION.

Infantry:					
325	221	85	76	19	401
326	140	75	20	8	243
327	217	67	81	129	494
328	182	74	81	33	370
Machine gun:					
319	4	5	4	0	13
320	15	0	0	0	15
321	17	5	1	0	23
Artillery:					
319	1	0	0	0	1
320	0	0	0	0	0
321	0	0	1	0	1
Trench mortar:					
307	0	0	0	0	0
Engineers:					
307	11	13	7	0	31
Total	808	324	271	189	1,592

Casualties by regiments—Continued.

EIGHTY-EIGHTH DIVISION.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Infantry:					
349	0	4	0	0	4
350	6	8	5	6	25
351	7	7	0	0	14
352	2	8	1	0	11
Machine gun:					
337	0	1	0	0	1
338	3	1	0	0	4
339	0	1	0	0	1
Artillery:					
337	0	1	1	0	2
338	0	0	0	0	0
339	0	0	0	0	0
Trench mortar:					
313	0	0	0	0	0
Engineers:					
313	2	2	0	0	4
Total	20	33	7	6	66

EIGHTY-NINTH DIVISION.

Infantry:					
353	221	96	67	1	385
354	221	95	38	1	355
355	161	123	98	0	382
356	166	61	41	2	270
Machine gun:					
340	5	5	0	0	10
341	24	12	6	0	42
342	18	15	3	0	36
Artillery:					
340	0	0	0	0	0
341	0	0	0	0	0
342	0	0	0	0	0
Trench mortar:					
314	0	0	0	0	0
Engineers:					
314	22	20	3	0	45
Total	838	427	256	4	1,525

NINETIETH DIVISION.

Infantry:					
357	201	78	45	3	327
358	247	84	43	6	380
359	215	57	108	22	400
360	233	79	77	4	393
Machine gun:					
343	6	3	2	0	11
344	11	5	2	0	18
345	12	13	1	0	26
Artillery:					
343	0	0	0	0	0
344	0	0	0	0	0
345	0	0	0	0	0
Trench mortar:					
315	0	0	0	0	0
Engineer:					
315	13	8	9	0	30
Total	936	327	287	35	1,585

NINETY-FIRST DIVISION.

Infantry:					
361	277	78	89	2	446
362	210	64	190	11	475
363	208	54	101	8	371
364	142	41	62	2	247
Machine gun:					
346	2	1	0	0	3
347	42	15	4	0	61
348	25	9	6	0	40
Artillery:					
346	0	0	0	0	0
347	0	0	0	0	0
348	0	0	0	0	0
Trench mortar:					
316	0	0	0	0	0
Engineer:					
316	28	13	18	0	59
Total	934	275	470	23	1,702

NINETY-SECOND DIVISION.

Infantry:					
365	26	17	32	2	77
366	30	13	7	2	52
367	6	5	0	0	11
368	44	13	8	1	66
Machine gun:					
349	0	0	0	0	0
350	3	0	0	0	3
351	0	0	0	0	0

Casualties by regiments—Continued.

NINETY-SECOND DIVISION—continued.

Regiment No.	Killed.	Died.	Missing.	Prisoners.	Total.
Artillery:					
349	0	0	0	0	0
350	0	0	0	0	0
351	0	0	0	0	0
French mortar:					
317	0	0	0	0	0
Engineers:					
317	0	2	0	0	2
Total	100	50	47	5	211

NINETY-THIRD DIVISION.

Infantry:					
369	123	45	3	1	172
370	80	15	3	2	100
371	100	23	1	0	124
372	69	22	1	1	93
Total	372	105	8	4	489

Perplexing Problems of the Paris Conference.

EXTENSION OF REMARKS

OF

HON. JOHN M. MORIN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

Mr. MORIN. Mr. Speaker, availing myself of the privilege granted by the unanimous consent of the House, I wish to include the address on the "Perplexing problems of the peace conference" delivered by my distinguished predecessor, Hon. James Francis Burke, general counsel of the Chamber of Commerce of Pittsburgh, before that body on January 30, 1919.

Of all the many documents read by me since the world leaders met at Versailles, Mr. Burke's address is the most complete analysis of the world's problems thus far delivered in this country. It is so forcible, so eloquent, and so impartial that every American who reads it will be benefited and enlightened. His speech is as follows:

No military conflict in history ever attracted wider attention or aroused a keener interest in its developments than the great battle for final peace now in progress at Versailles. The guns of yesterday are silent, the charges of troops halted, and the strategy of military geniuses in abeyance, while through the maze of imposing formalities and impressive courtesies the most skillful diplomats of the age maneuver for power and points of vantage in a conference called to perfect treaties and perpetuate the peace of the world.

Broadly speaking, the task before the conference is not only to transform the present temporary peace into permanent form but to obliterate, as far as human ingenuity can do so, all those racial, geographical, political, and economic sore spots whose existence in the past have at intermittent periods thrown the body politic into violent convulsions.

There are those who believe that the proposed soothing process of arbitration which its advocates have in mind will prove comparatively easy of application and entirely effective in preventing future wars, while others regard it as a fantastic vision entitled only to a place in the cloudland of dreams and idealities.

Popular interest centers in the discussion of the proposed league of nations, and the most pronounced diversity of opinion exists regarding the practicability of creating an international or supernational body which will possess not only the legal authority but the necessary armed force to compel nations to yield to its decrees when the peaceful process of arbitration fails.

THE WORLD'S CONFERENCE.

Peace conferences and a study of the temporary or enduring character of their results offer a wide and fascinating field for intellectual diversion. While good has come from many of them, no conference has ever been held that successfully guaranteed or was followed by a permanent peace.

Whether Versailles is to mark the birth of a new era of never-ending international harmony is a question for whose reply I had rather depend upon the historian of to-morrow than trust the prophet of to-day.

Most of us fervently pray that it may succeed. Every believer in Christ's gospel of "peace on earth and good will toward man" sincerely hopes for its realization, but no student of history or analyst of the ever-present elements of human selfishness and national ambitions will discount the dangers of discord in the days to come.

The term "peace conference" is a misnomer when applied to all the treaty-making bodies that have followed the cessation of hostilities. Those who believe that suspicions disappear, that ignoble aspirations cease, and that good will takes the place of all the baser impulses and ambitions of men the moment peace delegates are chosen are ignorant of the events of history.

Beginning with the famous league, known as the Truce of God, which medieval Christendom brought about over 900 years ago to put an end to feudal wars, and which was supported by solemn religious oaths and armed forces, down to the present day, peace conferences have been followed by wars of increasing area, atrocity, and destruction as time has passed and as civilization is presumed to have developed.

WESTPHALIA—1648.

The great conference that produced the treaty of Westphalia in 1648 came at the end of 30 years of bloodshed; but that the animosities and bitterness of actual warfare survived the hour when arms were stacked is evident from the fact that three full years elapsed before the delegates chosen to negotiate the real terms of peace could even agree upon a place of meeting. Furthermore, when they did it was at two different places, in two different diplomatic divisions, and 13 years elapsed before that memorable treaty was finally agreed to by all the parties in interest.

Inasmuch as religious prejudices inspired the division of European territory in that treaty it, of course, rested upon a foundation of sand and lasted about as long as such a compact could be expected to survive.

In that congress there was not even attempted the creation of a universal league of nations.

UTRECHT—1713.

The treaty of Utrecht was negotiated in 1713, when France, Great Britain, Holland, Prussia, Savoy, Portugal, and Spain ended the bitter war over Spanish succession, and placed the Bourbon, Philip, on the throne, the crowns of France and Spain never to be united, gave Newfoundland and Nova Scotia to Great Britain, and also gave her Gibraltar and Minorca, and conferred upon her the right to ship African slaves to America. While territorial traces of this convention survive to the present day, yet despite all the avowals of friendship that followed it, affecting millions of people of different colors, customs, and castes in Africa, Europe, and America, peace soon gave way to war and the rulers and boundaries changed again with the whims of succeeding periods.

PARIS—1763–1898.

During the conference at Paris between France on the one side and Great Britain, Russia, Austria, and Prussia on the other, in the winter of 1814, Napoleon, who previously had abdicated at Fontainebleau, hearing of the bitter controversies between the peace delegates, left Elba, landed at Cannes on March 1, and entered Paris on March 20. The troops sent out under Ney to resist him joined him, and afterwards fell with him at Waterloo. Thus the convening of that conference was not succeeded by any more international harmony than we have at present under the surface between Prussia and Poland, Greece and Turkey, Italy and Czecho-Slovakia, and other conflicting elements in Europe to-day. In fact, its own discordant deliberations had much to do with bringing about the "Hundred Days War."

At none of the peace conferences of Paris, beginning in 1763 and ending in 1898, was a league of nations evolved. Nor was it even suggested in the conference of 1783 between France, Spain, Great Britain, and the United States, when American independence was acknowledged and ratified in treaty form.

VIENNA—1815.

The notable Congress of Vienna, convened in September, 1814, in response to Austria's invitation to all her diplomatic visiting list, except France, proceeded to arrange and adjust all the powers and principalities disturbed by Napoleon. When it concluded its sessions, in June, 1815, it had formed "The Holy Roman Alliance"—said to have been neither holy nor Roman—and the first real dream of universal peace for the moment impressed the world with the prospect of its permanency.

This alliance was formed by the sovereigns of Russia, Austria, and Prussia, and afterwards was joined by all European sovereigns except Rome and England, although some dispute exists as to England's real attitude and relation to it.

It professed to unite all in a Christian brotherhood, while in reality it was designed for the sole selfish purpose of perpetuating its own group of dynasties.

And while it was the most pretentious of all the peace problems of history, its harvest of harmony ended within 15 years, when the French Revolution of 1830 and other local conflicts kindled new flames in Europe.

Nor was this plan a newly devised one any more than is the "league of nations" which is being so widely discussed to-day. In fact, the idea of a league of nations was originally outlined and published by Abbe St. Pierre in 1713 as a scheme for perpetual peace, and subsequently submitted by the Russian Emperor Alexander to Pitt in 1804, and was ultimately crystallized into the "holy alliance" of 1815. Incidentally, it is interesting and important to recall that it was in opposition to the ambitious schemes underlying this very "holy alliance" that President Monroe injected into his famous message of 1823 the admonition which laid the foundation of the Monroe doctrine and frustrated the imperial designs of Europe on the Western Hemisphere during the century that followed.

VERSAILLES.

By comparing it with all the great conferences preceding, it will be apparent that the body now in session at Versailles is confronted with problems greater in number, more vital in character, and more far-reaching in their consequences than any other in the world's history.

Hence every step in its construction and every chapter in its proceeding is of absorbing interest.

The place of meeting is governed by precedent and propriety. It is on the soil of a victor and at a point agreeable to all of the triumphant powers interested in its outcome.

The supreme allied council, or steering committee, consists of the United States, France, England, Italy, and Japan, by which general control over all preliminaries is exercised, developed, and acted by common consent and not in pursuance of any fixed inflexible rule of law or precedent.

The apportionment of representation is a matter temporarily within the discretion of the supreme council, but finally within the jurisdiction of the congress itself.

The right to preside is governed by well-defined rules of international courtesy and belongs by right to France, in which the congress is held. Hence, the election of Clemenceau.

Whether all the delegates shall participate in all the proceedings is within the discretion of the body itself.

In addition to the main delegates there are also secondary or technical delegates, who may speak when requested to do so regarding any of the subjects of which they have made a special study or upon which they are admitted to be recognized authorities.

Whether every nation that enters shall be held responsible for the future enforcement of peace among all the nations who may engage in disputes over alleged violations of conditions agreed to by this conference is for the conference itself to determine and the treaty or treaties to specify.

What language is to be the medium of expression in the conference is one question, while that used in the final written instrument is another. One language alone or several may be used during the conference, and the same rule applies to the treaty itself.

When the treaty is between two distinct tongues the custom is to run it in parallel columns in both languages and to sign in duplicate.

When the treaty includes covenants to be signed, say, by the United States, France, China, Japan, Greece, Italy, Germany, and Russia, speaking many distinct tongues, they may all sign a single document in French, which is "the language of the courts," or they may be in as many forms and languages as the signatories may agree upon.

SELECTION OF DELEGATES.

The manner of selecting delegates varies in different countries. In the United States it is wholly a presidential function, and, while controversy has waxed warm over the right as well as the propriety of the President to act directly rather than by delegating the duty to others, there is no doubt whatever but that he has the legal right himself to act as the only delegate, or as one of many delegates, if he deems it proper to do so. There is nothing in the Constitution which renders it impossible for the Chief Executive in this regard to do directly what he may do indirectly.

This does not mean, however, that there can not be a serious and an honest difference of opinion regarding the wisdom of the President's recent and present course.

Whether the dignity and the influence of the presidential office will be impaired or enhanced, whether the power and the prestige of the Nation itself will be added to or diminished, are questions upon which wise men will differ and over which partisans will indulge in controversy whose bitterness too frequently blinds the participants to the virtues of each other's attitude.

Whether the admitted intellectual force of the man himself and the unquestioned prestige with which the presidential office endows the individual wherever he may go, renders it imperative that Mr. Wilson in the capacity of Chief Executive impress his presence and his views upon the body whose decisions are fraught with such vital consequence to the American people and to the world or whether, in keeping with our loftiest traditions and in accord with the examples of our Presidents from the days of Washington, it were wiser for him to invoke the use of the brains and experience of some of the great men of our country for the immediate work of the peace congress, as all other nations are doing, and reserve to himself as the final arbiter the right to ratify or reject whatever agreement may be negotiated, will no doubt continue to be a seriously disputed question for many years to come.

A multitude of earnest and well-informed people believe that the President can not afford to deny the American people the full benefit of his superior intellectual attainments on the scene of action when so precious a price as the permanent peace of the world is at stake. Many others, equally well informed and patriotic, declare that he can not afford, directly or by implication, to lead the people of the world to believe that among the hundred million Americans there is no set of men of adequate experience or of sufficient intellectual force and capacity, without his aid and presence, capable of meeting and matching the wits of other nations, and faithfully and competently protecting the interests of this mighty Republic in any conference on any subject in any section of the world.

PRESIDENT OR DELEGATE?

Some suggest the fine-haired distinction that Mr. Wilson is acting as premier and not as President. If this be true, can the President legally or with propriety divest himself of his office, hang the presidential hat in the hall of the Trianon, and enter a chamber which chokes with the spirit of controversy and take his place as a delegate among the rank and file of the subordinates of other nations?

If he can, what becomes of the presidential office and who is our Chief Executive during the interim? This question recently brought from one of the most zealous senatorial champions of the President the suggestion that he was at Versailles not as President nor as premier but as the Commander in Chief of our armies.

Others quickly pointed out the inconsistency of this claim by suggesting that if he is there in a military capacity as our Army's chief commander he denied himself a great opportunity for service by waiting until the guns were stacked and the fighting ceased before he entered France. I believe the suggestion of his zealous champion does the President an injustice.

RIGHT TO RATIFY.

When we recall the processes by which treaties are perfected another serious question involving the President's direct participation presents itself. In England the delegates are named with full power to act, without reserving the right of parliamentary rejection or modification, and in other countries the procedure differs from ours, but no treaty can become binding upon the United States or a part of the supreme law of this Republic until certain well-defined steps are taken.

First, it is attested by the signatories at the conference, thence it goes through the Secretary of State to the President, and by the President it must be submitted to the Senate, not for ratification but for rejection or approval.

The Senate may pigeonhole it permanently, it may discuss it for any length of time, or it may adopt a resolution approving it without a single word of debate. Then comes the final act of ratification, which belongs to the President and not to the Senate, as popularly understood.

Can the President at this stage veto a treaty which his plenipotentiaries have negotiated and which he has invited the Senate to approve? He can, and he may do it by affirmative written declaration or by withholding his signature and consigning it to the wastebasket.

Here, however, arises another question. If while the Senate discussed the treaty new conditions arose or the President changed his mind, could the President veto or withhold his signature as President from a treaty which personally he had negotiated and signed as a delegate and which he had invited the Senate to approve? No doubt he could, but would not his presence as a delegate and his signature as such prove somewhat embarrassing, to say the least? On the other hand, is the probability of such a dilemma arising sufficiently strong to forbid his acting as a delegate in the first instance?

PROBLEMS OF THE CONFERENCE.

We come next to the problems of the conference itself. These are varied in character and many in number.

First. Shall the President's doctrine of "open covenants openly made" prevail? If so, what of the new controversies the publication of every bitter expression in debate might engender among the rank and file of people whose patience and poise might not equal that of trained diplomats who learn to give and take in discussion?

Second. The important questions to be settled between the central powers and the allies, including evacuation, restoration, and indemnities. This includes the disposition of Germany's colonies and the political interests of the millions of human beings affected; it also includes the determination of the economic and financial burden to be imposed upon Germany and Austria after they are stripped of the territory of which each is to be deprived in the readjustment, and also the question as to whether they shall pay in full all the damages their wicked destruction wrought upon nations. If the latter course meant their bankruptcy and ruin and meant defeat of the purpose itself by rendering them incapable of carrying it out, shall they be compelled to pay all they can bear within a period of 50 years; and if so, how shall the indemnities thus paid be divided among those who suffered losses?

Shall they be compelled to repudiate their home debt of billions of dollars, held by their own people, until all the obligations due all people of other countries are liquidated?

Third. The treatment to be applied to Russia in order to avert the further spread of bolshevism and anarchy.

Fourth. The settlement of 26 dangerous and irritating territorial disputes in Europe in addition to those in Asia and Africa.

Fifth. The definition of and an agreement regarding the so-called "freedom of the seas."

Sixth. The manner in which the economic barriers between nations shall be removed.

Seventh. The definite formation of a league of nations, with a clear and distinct understanding as to who shall compose it and what its powers and methods of procedure shall be.

Let us deal briefly with these problems in their order.

The first involves No. 1 of the President's 14 points: "Open covenants of peace openly arrived at," and a process by which "diplomacy shall always proceed openly and in the public view." This would mean not only the end of secret treaties and agreements, but also the end of all secret sessions and discussions attending their negotiation. One school advocates pitiless publication of every expression of every delegate regarding every question affecting all the nations involved in settling their disputes, on the theory that the light of day will prove a universal antidote for the evils of secret diplomacy.

The other school declares that such a course would add fuel to the flames already kindled, intensify the hatreds and animosities of races, and sow new seeds of discord among those who would not be inclined to display the moderation and exercise the self-control of which great intellectual leaders and trained diplomats are capable and to which they are accustomed in settling serious disputes.

Literally, this would mean that the executive sessions of the United States Senate, in which our most delicate and important affairs with foreign nations are discussed, are to be abolished, after continuing for 140 years without serious criticism.

Also it would mean that even the President's Cabinet, when it meets to discuss an important treaty with a foreign power, shall throw open the doors and invite the eager ears of foreign diplomats and spies to cable every word of dissension in our own councils across the seas to foreign offices.

But that this expression does not mean what the country first understood it to convey when the President used it in his speech of January 8, 1918, is apparent from his letter to Secretary Lansing on March 12, two months later, in which, in reply to a query regarding the Borah resolution to compel the Senate to conduct all treaty discussions in open session, the President said: "When I pronounced for open diplomacy, I meant not that there should be no private discussions of delicate matters, but that no secret agreement should be entered into, and that all international relations when fixed should be open, above board, and explicit."

Inasmuch as under our form of government it is impossible to have a secret treaty, and that no such treaty ever existed in the history of this Nation, the President's declaration for publicity after the fact is nothing new—in reality, it is more than 100 years old.

The second series of problems need only be named to reveal their difficulties, and as I have already mentioned them their repetition is unnecessary.

The importance of the third, involving the treatment of Russia, is heightened by the fact that her betrayal, which constitutes one of history's most shameful stories of bribery, bloodshed, and national disintegration, is being followed by a reckless disregard for law which not only imperils Europe, but threatens to fan into flame the smoldering embers of anarchy throughout the world.

The fourth problem includes a number of territorial disputes, several of which so seriously threatened a new outbreak of war that the peace congress a few days since was compelled to issue a warning to several of the smaller nations involved.

Let us glance over Mowrer's array of disputes and wonder how and when perpetual peace is going to dawn in Europe:

1. The Aaland Island, now held by Russia, apparently claimed by Sweden.
2. Helgoland, now held by Germany, probably claimed by England.
3. Denmark demands the return of Schleswig from the hands of the Germans.
4. Belgium seems to be preparing to demand from Holland the Province of Limburg, which stretches like a peninsula between Belgium and Germany and forms an awkward barrier.

LUXEMBURG'S ALTERNATIVE.

5. Luxemburg will be called upon to decide whether she prefers to be French, Belgian, or independent.
6. France desires to neutralize the left bank of the Rhine.
7. France wants to include the Sarre Basin in Lorraine.
8. Italy claims part of the Austrian Tyrol.
9. The Italians and Jugo-Slavs are engaged in bitter controversy over the Dalmatian coast, which both claim; they are intrenching opposite one another where the lines meet north of Fiume.
10. Northern Albania is claimed by the Jugo-Slavs, the Valona region by Italy, and southern Albania by Greece, while the Albanians themselves desire independence.
11. Greece claims all of Thrace, including Constantinople, from Bulgaria and Turkey.
12. Greeks, Serbs, and Bulgars all demand favorable frontier rectifications in Macedonia.
13. The Jugo-Slavs seem to claim the strip running from Graz to the Danube east of Vienna so as to give them a common frontier with the Czecho-Slovaks.

BITTER PROTEST BY HUNGARIANS.

14. The Hungarians protest bitterly against the newly declared southeastern frontier of Slovakia.
15. The Poles, Czechs, and Germans all claim Silesia.

16. The annexation of the banat of Temesvar has been proclaimed by both the Jugo-Slavs and the Roumanians, while the Hungarians are unwilling to relinquish it.
17. The Roumanians occupying Transylvania are driving out the Hungarians.
18. Roumanians and Ruthenians are fighting over Bukovina.
19. The Bulgarians want a favorable frontier rectification in the Dobroges.
20. Roumanians are occupying Bessarabia, which the Ukrainians also claim.
21. The Poles and Ruthenians are fighting over eastern Galicia.
22. The Germans and Poles are fighting over Posen.

CLAIMS BY POLAND.

23. The Poles claim the valley of the Vistula and Danzig from Prussia.
24. The Poles claim east Prussia.
25. The Poles claim Lithuania, which seems to prefer independence.
26. The Bolsheviki are invading the Baltic Provinces, which seem to desire independence.

The fifth problem of the Congress involves a definition and enforcement of the President's declaration for "freedom of the seas."

If this means the right of unmolested travel for all law-abiding people upon the great highways of the world beyond territorial waters, many assume that the enjoyment of such right was made certain the day the German fleet surrendered, the Prussian mine floater was discovered, and the hell-born submarine ended its mission of murder.

If it is designed to end England's undisputed sway as mistress of the seas, the present plan of our Navy Department to equal or surpass England's Navy in 1925 should set at rest the apprehension of those who are unwilling longer to intrust her with that power.

If it means the dismantling of the navies of England, France, and Japan, then, too, must it mean the end of Navy building in America and ultimately an unprotected American merchant marine seeking sales for its cargoes in the great markets of the world.

In fact, the list of things it might and might not mean is too formidable to repeat, and for this reason the world eagerly awaits its official definition and will welcome its enforcement if it proves just and practical.

The sixth problem involves the removal of all economic barriers between nations.

While the President, who is also the author of this suggestion, has not defined just what idea he intended to convey, many of his friends and political adherents declare that this does not mean, as some assert, the tearing down of customhouses and the repeal of all tariff and customs revenue laws. That what the President meant, as he said in his recent notes to the Senate, was that while all nations were to impose whatever customs tariffs they saw fit they must impose them against all countries alike.

Those who disagree with the President quickly point out that this would forbid the United States maintaining a reciprocity agreement with Cuba, which has proven so beneficial to both; that it would be an insurmountable barrier against our building up trade through reciprocity treaties with South America; that it would compel us to allow Germany and China and all other countries that saw fit, regardless of their labor conditions, to enter our markets on the same terms as any other nation with which we sought a businesslike reciprocal trade agreement.

Whatever it means, the peace conference will have no easy task in solving these economic problems to the entire satisfaction of the world.

THE LEAGUE OF NATIONS.

Lastly we come to the league of nations, the dream of the ages, a dream that its vast army of intelligent and well-meaning advocates declare and believe is soon and certain to be realized—realized, as one of its great advocates declared, because Jesus Christ, the Savior of Man dreamed of it; because David, the sweet singer of Israel, dreamed of it; because George Washington, the father of our Nation, dreamed of it; because the poet Tennyson dreamed of it; because Robert E. Lee dreamed of it; and because millions of mothers in the broken homes of the world are dreaming of it to-day; and, finally, because the spirits of 10,000,000 dead men who but yesterday fell victims to the folly and criminal shortsightedness of man are whispering their supplications into the ears of a just God that national butchery shall end and war shall be no more.

And that is why, with the burning spirit of crusaders, the advocates of the league of nations believe in their cause.

That, my friends, is why their zeal is entitled to the respect of all, including the equally great body of well-informed people who realize that until humanity is itself stripped of its selfishness, until nations are divested of their ambitions, and all the prejudices of race, class, and creed and clime have disappeared from the earth, a binding league of nations possessing power to institute and perpetuate the peace of the world will continue for centuries to come, as it has for centuries in the past, a mere vision, a companion of the stars, beyond the reach of man.

The advocates of the league declare that as nations are as civilized as the people who compose them, there is no more justification for their adhering to war to adjust their disputes than for men themselves to repudiate courts and go back to the brutal process of the "wager of battle" which prevailed among the tribes of former days.

That, as a matter of fact, the frightful destruction of life and property involved should make it even a greater inducement for nations to submit their disputes to an international tribunal than the ordinary private losses involved would induce individuals to invoke the aid of the courts of law.

That if a league were formed compelling nations, before actually shedding blood in any justiciable cause, to submit the question to arbitration, and any nation should refuse, the scorn of mankind would be so strongly manifested and the moral force of the world would be so formidably asserted against it that no nation could survive its wicked disregard of international fair play.

Many of the league's advocates believe also that it is entirely practicable to create a world court (with rules written in advance by the powers creating it) with authority to decide all international questions and to enforce its decisions by ordering all the signatory nations to punish any offender by an economic boycott, thus making her at the same time a political outcast and a prisoner within her own borders, with all means of dealing or communicating with the outside world denied her, which, of course, would probably mean commercial ruin, industrial stagnation, and physical starvation.

Other league proponents go a step further and would equip this international or supernation body with an interallied army and navy, which it may order to attack any nation disputing its decrees.

The most distinct line of cleavage yet developed between those who differ regarding the practicability of such a league involves its right to use armed forces to render its decrees effective.

Advocates of the force theory declare such a joint military and naval force entirely practical, while the opponents irreverently designate it as a "foolish dream."

Let us dispassionately review some of the suggestions of the leaders in both groups. The last of President Wilson's 14 points reads as follows:

"A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike."

The President, in elaborating upon this, declared:

"My conception of a league of nations is just this: That it shall operate as the moral force of men throughout the world, and that whenever or wherever wrong and aggression are planned or contemplated this searchlight of conscience will be turned upon them, and men everywhere will ask 'What are the purposes that you hold in your heart against the fortunes of the world?'"

Dr. Nicholas Murray Butler says:

"Let these nations, assembled by their representatives at Versailles, declare themselves to be a league of nations organized for the precise purposes for which the war was fought and with which their several peoples are entirely familiar, namely, the definition and protection of standards of international right and justice, the sanctity of international obligations, and the right of the small and less numerous peoples to be free from attack or domination by their larger and more powerful neighbors. This will be sufficient to begin with."

Mr. Talcot Williams says:

"The league is inevitable. It exists for war. Why not for peace? It has suffered from too much definition. It would do its chief work in preventing war by the use of military force to prevent hostilities by action without the declaration of war, avoiding disturbance to trade, to international intercourse, and to credits."

Senator JOHN SHARP WILLIAMS:

"There are only two ways of keeping the peace of the world. One by an amphictyonic council of the civilized world which we are trying to secure; the other is by the domination by one great world power, such as the Prussian and the Germans attempted and failed."

Viscount Grey:

"The Versailles conference will be the vital beginning of such a league. All that is necessary is that it should not commit suicide but keep itself alive by recessing from time to time and maintaining a permanent organization. This is not all that is desirable but all that is essential. A beginning that has vitality is better than a more complete plan that has no life. One is a living thing and the other a piece of furniture."

Lord Parmoor:

"I approve of the principle of a league of nations and the constitution of a tribunal whose order shall be enforcible by an adequate sanction."

Lord Curzon: "The French commission seems to have pointed out that it would be out of the question to set up an international police, a state above all other states whose aims should be to substitute law for force in the settlement of these national disputes. In this I think we shall all concur."

The plan of Baron de Constant and Leon Bourgeois agrees with the American suggestions generally and differs with the French commission.

Lord Parker: "It is a very serious matter to ask great nations to agree beforehand to submit disputes of whatever nature to the arbitrament of a tribunal consisting of some two dozen or three dozen States, many of whom may be interested in casting their votes on this side or that."

The absence of French quotations is best explained by the following letter from Robert E. Olds, one of the best-informed Americans in France:

"I assume you are following closely the career of that ancient and honorable idea of a league of nations. One gains the distinct impression that the French regard the notion as chimerical and visionary."

OUR OFFICIAL ATTITUDE.

As compared with the report of the French commission, the American Government by the act of Congress of August 29, 1916, declared it to be "the policy of the United States to adjust and settle its international disputes through arbitration to the end that war may be honorably avoided, and the President is authorized and requested to invite at an appropriate time all the great Governments of the world to a conference which shall be charged with the duty of formulating a plan for a court of arbitration, etc., to appoint nine citizens of the United States as delegates, and to expend such portion of $200,000 as may be necessary to carry this act into effect."

Mr. Wilson signed this bill, but never acted upon the suggestion.

This act, you will observe, makes no reference to equipping the court with a joint army and navy to enforce its decree.

Perhaps the most thoughtful and elaborate of all expressions on the subject are those of Lord Bryce, in which he concludes:

"I think we may dismiss all these grandoise notions of what has been called a federation of the world and attempts to induce the great States to forego sovereignty and to submit to some superior authority and to constitute an international army. All these schemes must belong to a very distant future, and I do not think we ought to contemplate any further limitation of sovereignty. It is not to be denied that the difficulties in the way are very great. I do not think anyone can appreciate how great these perplexities are unless he confines himself to a close and long-continued study of the subject and to the various plans that have been advanced."

Lord Bryce suggests the following concrete essentials of the league of nations, upon which its advocates are to accord:

1. The prevention of war, one of the world's supreme necessities.
2. War can be obviated only by arbitration.
3. Arbitration can not succeed without force behind it.
4. Compulsive force can be secured only by international operation.
5. Every member of such a league must agree to accept arbitration.
6. The league shall defend any of its members who may be attacked by any other State refusing to support arbitration.
7. The league will require:
(a) A tribunal to arbitrate justiciable controversies;
(b) A council of conciliation to inquire into and apply mediation to nonjusticiable controversies;
(c) A conference to amend, regulate, and codify international laws; and
(d) An executive authority to decide on the time and methods of compelling States to submit to arbitration.
8. Enforcement may be either by economic pressure or armed force, or both.

The points upon which they do not agree are as follows:

1. What principal shall control the admission of States to the league?
2. Shall members, great and small, have equal powers?
3. How shall the judges or arbitrators in the council of conciliation be chosen?
4. Shall the executive authority consist of persons representing the nations who are its members, or how otherwise?
5. Shall the council have power to act when it sees danger without being requested by a disputant State?
6. Shall the league have a standing army and navy?
7. Shall its decisions require a unanimous vote or merely a majority of the governments represented?
8. Shall the league have power merely to force nations to arbitrate their differences or shall it also have power to force them to abide by the arbitration decree?
9. How are military and naval armaments to be reduced?
10. Can members of the league conduct secret diplomacy?
11. Can members of the league have separate treaties among themselves?
12. May members of the league have different tariff or reciprocity agreements with each other?

Senator LODGE has suggested another serious question as to whether or not there shall be any race exclusion or discrimination.

To this formidable array of obstacles the thoughtful American is compelled to ask by what constitutional authority any department or officer of this Government can confer upon any international or supernational body, beyond the control of the United States, the right to enforce its decree against the United States to attack any other power, or even to attack the United States itself, in order to enforce the decree of such foreign independent body? Can the United States by any arrangement afford to place its great instrumentalities of power in the hands of any foreign body which it does not itself control with the authority upon the part of such a foreign body to use American arms against nations with whom we have no direct disputes or grievance?

Can the power to declare war, which is vested in the American Congress alone, be delegated to an alien body in which we might possibly have a single representative? Would it be constitutional? Would it be prudent?

As a great many of the world's serious disturbances and injustices involve disputes between peoples and their own governments, is the league of nations to have any power to intervene between citizens and their own governments, between subject and sovereign, and thus control the internal affairs of other nations under the guise of averting civil war and preserving the world's peace? If so, are the Army and Navy of the United States to be used for that purpose without affirmative action by our Government?

WILL IT REDUCE ARMAMENTS?

But one of the most practical of all questions is whether the formation of the proposed league is to do away, to any extent, with armies and navies, and is the great tax burden of militarism to be lifted from the people who are to-day groaning under the load already imposed?

The most surprising answer to this is found in the proceedings of our own Congress within the past few months, when Secretary Daniels, before the Naval Committee, made the startling declaration that the present proposed expenditure of $600,000,000, as a consequence of which the United States in 1925 would have the greatest navy in the world, even outstripping England, was necessary in connection with the formation of the proposed league of nations.

Secretary Daniels amazed the committee when he said: "You can do nothing in the world which would so strengthen this country's position at the peace conference as to authorize this enlarged naval program." The following is also the New York Times' report of his testimony before the same committee:

"Secretary Daniels and the naval officials desire to have a navy which will be as large as that of any other country not only for our own purposes but for policing the world in case a league of nations to enforce peace is created at the Versailles conference."

Admiral Badger, before the same committee, declared navies must be the principal support of the league of nations, and the United States will be called upon to contribute a very large share of the international police force to render the league effective. The admiral was supporting the $600,000,000 program.

For these reasons it is well for those who are ardently urging a league on the theory of lightening the world's burdens to bear in mind that its creation is to be followed in our own case by the largest naval expenditure of any nation in the history of mankind.

In view of the foregoing list of problems to be solved and the obstacles to be surmounted by the men at Versailles, reasonable and thoughtful citizens of this Republic will understand why our former Secretary of State and present Senator, Mr. KNOX, suggested by resolution that the immediate problems of the war should first be disposed of in order that the people of all nations might resume a more normal, placid, and impartial state of mind and in order, too, that when that judicial atmosphere is established the world might take up and consider the wider and more fundamental problems involved in the establishment of a league of nations to avert discord and perpetuate the world's peace.

In conclusion, let us ask, whatever may be the present and future motives and ambitions of other nations, have the people of the United States not established in a greater degree than any other their devotion to the spirit of fair play and their freedom from many of the local and petty prejudices and selfish aspirations that still linger about other nations? If this be true, why not continue to build up and intensify our people's love for those ideals, and the love and respect of other peoples for our country, and keep as far and free as possible from unnecessary foreign entanglements and alliances?

Why not keep in mind, too, that in spite of all their unselfishness and sacrifices for mankind, the Italians crimsoned the snows among the clouds with their blood primarily because of their love for Italy; that the British fell in millions before Hindenburg's armies primarily because of their love of England; that the Blue Devils wrote the most heroic stories of sacrifices of the war in their own blood at Verdun because of their love and devotion to France; and that every soldier of this Republic who died in the St. Mihiel salient and fell face downward in his own blood in the Argonne Forest died not only for mankind but above all because he loved the land of Washington and Lincoln and its hundred million free people—and thus it will ever continue to be, men will be willing to live and die for their country, their kinsmen, and their homes, but will the day ever dawn when their devotion to their country can be literally wiped out or transferred to some distant, independent conglomeration of nations of which they are only an incidental part?

Let us approach the solution of these problems as we would a sanctuary, and if ever God's holy light revealed to man his duty, let it reveal it now, when the peace of to-morrow depends so much upon the prudence of to-day.

Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. FREDERICK C. HICKS,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

Mr. HICKS. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following:

[Memorial address delivered by Hon. FREDERICK C. HICKS, of Long Island, at the Sunday Tabernacle, Washington, Jan. 12, 1919.]

THEODORE ROOSEVELT, THE FOREMOST SOLDIER OF THE COMMON GOOD OF HIS GENERATION.

In the universe of God there are no accidents. From the fall of a sparrow to the fall of an empire or the sweep of a planet, all is according to Divine Providence whose laws are everlasting.

Roosevelt the man is no more; Roosevelt the example still lives. Mourn not his death, rejoice rather in the grandeur of his achievements. Be thankful that this man among men set his conceptions of life and his precepts of duty so high that the generations to follow will be guided by his example and inspired by his attainments.

Strong in body, vigorous in intellect, fearless in action, inflexible in determination, he molded public opinion in a higher envisagement of the obligations of citizenship, and by his indomitable purpose shaped the destinies of a nation. A virile Americanism was the characteristic of his soul, the guide of his life, constant as the eternal stars. His was the voice which sounded the warning of imminent national peril; his was the voice which roused the Nation from its lethargy of unpreparedness; his was the voice which summoned the American people, without prejudice and without preference, to unanimity of sentiment and unity of service in support of the national cause. In every act, in every utterance from the beginning to the end, his first, his only motive was "my country, ever my country."

The primal truths of the declaration of principles which gave our Nation birth, the ideals and the purposes which carried it forward in the full sweep of its power, were the tenets of his American creed, exemplified by his actions as a statesman, glorified by his deeds as a soldier. He breathed the lofty spirit of patriotism of the fathers of the Republic and ceaselessly transmitted it to his generation.

A wonderful individuality coupled with a magnetic personality endeared him to all, friend and opponent, critic and adherent alike. His deep sympathy and sincere interest in every phase of human activity drew to him the admiration, the affection, and the confidence of innumerable thousands, who looked to him as leader, counsellor, friend. Untiring in his efforts for the uplift of humanity, his days were all too short for the energies of his mind and the generosities of his heart. A fidelity of purpose and a profundity of moral rectitude guided him in private act and public service. He was the foremost soldier of the common good of his generation.

His superb courage was halted neither by the magnitude of the task before him nor the criticisms of those who differed with him. His splendid optimism, lofty patriotism, and unbounded faith in humanity never deserted him; they were with him in his college days, in his early manhood and maturer years, as statesman and soldier, in public and private life; they were with him, radiant and strong, when his spirit passed to the great beyond. They were the philosophy of his life, the touchstone of his thoughts, the mentor of his actions, fundamental principles, firmly welded into his very being.

His conception of duty can best be expressed by his own words:

I wish to preach not the doctrine of ignoble ease but the doctrine of the strenuous life, the life of toil and effort, of labor and strife, to preach that highest form of success, which comes not to the man who desires mere easy peace but to the man who does not shrink from danger, from hardships, or from bitter toil, and who out of these wins the splendid triumph.

As a man, justice, simplicity, frankness, determination, kindliness of heart, and unswerving loyalty to friends, all were met in him. Happy in life, his home was ideal and the family ties perfect and complete. Deeply imbued with divine teachings, incorruptible in purpose, with a course steadfast as the needle to the pole, his life moved forward to its fullness under the watchful guidance of an omnipotent Providence.

As a soldier, his signal ability as an organizer, tenacity as a fighter, and genius as a leader of men won for him renown in the War with Spain. When the call came in the great con-

flict he pleaded for the chance to vindicate on the battle fields of France—by the supreme sacrifice, if need be—the convictions of his soul. Rejected, he gave four sons to win distinguished honor in the service of their country.

As a statesman, his profound knowledge of human nature, marvelous insight into the motives and ambitions of men, and clear and unerring perception of right, awakened the conscience of the people and carried the Nation onward to higher planes of thought and action.

As a lover of nature he held communion with her various forms, rejoicing in the beauties of hill and forest and stream, of rolling sea, of boundless sky, of sweeping prairie. He delighted to study the habits of the great beasts of the jungle in their native haunts or listen to the song of the birds nestling in the trees about his Long Island home.

As a scholar, his wide and deep study unfolded the beauties of the literature of the ages; his accurate analysis of the underlying factors in the development and advancement of civilization, together with a keen perception of the essentials of history, gave to his pen a versatility of thought, a strength of expression, and a purity of diction entitling him to preeminence among the foremost men of letters of his generation.

His life was an answer to that noble sentiment:

"Bring me men to match my mountains,
Bring me men to match my plains;
Men with empires in their purpose
And new era in their brains;
Pioneers to clear thought's marshlands
And to cleanse old error's fen;
Bring me men to match my mountains—
Bring me men!"

He sleeps and the nations weep. He has gone, but the cherished memories of his life remain. Silent is the voice that was the clarion call of a Nation. Yet the grave speaketh a benediction upon a life nobly spent, and whispers a message of love to his grieving countrymen. He has departed, but his name survives; a name too grand for any State, too great for any nation, too noble for any generation; a name which through all the ages shall be the guiding star for all mankind. His tomb on the hilltop by the waters, radiant with the golden light of his home across the valley, in the land he loved the best, will be revered by the centuries, and for generations to come those who seek the noblest attributes of man will receive their inspiration at his shrine.

"Put None But Americans on Guard To-Night."

(President George Washington.)

[Address by Hon. W. FRANK JAMES, of Michigan, delivered at the Knickerbocker Theater on Memorial Day, May 30, 1918.]

EXTENSION OF REMARKS

OF

HON. PATRICK H. KELLEY,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1919.

Mr. KELLEY of Michigan. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address by Hon. W. FRANK JAMES, of Michigan, delivered at the Knickerbocker Theater on Memorial Day, May 30, 1918:

ADDRESS OF HON. W. FRANK JAMES, OF MICHIGAN.

Fellow Americans, our most important duty these days is to "Win the war" and "Beat the Hun," and, when I say beat the Hun, I not only mean the Hun over there, but the Hun over here. In fact, I have far more respect for the Hun over there than the Hun over here—those damnable traitors who want to live over here according to the American standard of living—I mean those modern Benedict Arnolds who want to work over here and be paid according to the American wage scale, but whose sympathies and hearts are over there. If I had my way about it, I would not put a single pro-German nor traitorous American in an internment camp, but I would put them so far under the ground that the smell of brimstone would remind them of their future homes.

We meet here to-day not only to pay a tribute to the heroes of '61 and '98, but also to the heroes of this war.

All over this broad land to-day there are millions of little flags, "service flags," to show that "a man from this house has gone to fight" and, if need be, die for his country.

I never see a service flag in a window but what it reminds me of that most beautiful poem, "The service flag," by Mr. William Herschell.

THE SERVICE FLAG.

[William Herschell.]

Dear little flag in the window there,
Hung with a tear and a woman's prayer;
Child of Old Glory, born with a star—
Oh, what a beautiful flag you are!

Blue is your star in its field of white,
Dipped in the red that was born of fight;
Born of the blood that our forbears shed
To raise your mother, The Flag, o'erhead.

And now you've come, in this frenzied day,
To speak from a window—to speak and say:
"I am the voice of a soldier-son
Gone to be gone till the victory's won.

"I am the flag of The Service, sir;
The flag of his mother—I speak for her
Who stands by my window and waits and fears
But hides from the others her unwept tears.

"I am the flag of the wives who wait
For the safe return of a martial mate,
A mate gone forth where the war god thrives
To save from sacrifice other men's wives.

"I am the flag of the sweethearts true;
The often unthought of—the sisters, too.
I am the flag of a mother's son
And won't come down till the victory's won."

Dear little flag in the window there,
Hung with a tear and a woman's prayer,
Child of Old Glory, born with a star—
Oh, what a wonderful flag you are!

Memorial Day means more to us to-day than ever it did before. We meet to-day to pay tribute to our heroes who died on land and on sea.

In talking at Arlington Cemetery at the *Maine* memorial a year ago, where we gathered to pay a memorial tribute, I used these words in part:

We have gathered here to-day to pay a memorial tribute to our brave comrades of '98 who went down in Habana Harbor in the *Maine*.

He has come back home, asleep,
With the flag above his face;
With the starry fold to keep
Guard above his resting place;
And beneath blue summer skies,
Where he dreams below the sod,
But a single rosebud lies
Now between his heart and God!

They have gone to join the heroes who fought at Bunker Hill.
They have gone to clasp the hands of those who suffered at Valley Forge.
They have gone to live with those who fell at Monterey.
They have gone to meet those who died at Gettysburg.

This is not a new bereavement, but one which time, the healer of even the most severe grief, has softened. These are not new-made graves we garland, for over them all nature has already spread the memorials of her love. They have received the benediction of her sunshine and her tears, and above them her vines and grasses have spread the mantle of immortality.

Of the nearly 3,000,000 soldiers who "tented on the old camp grounds" in 1861 there now remains but a corporal's guard. The ranks of the brave boys in blue of 1861 who fought so gloriously at Mission Ridge, at Chickamauga, at Gettysburg, and hundreds of other glorious battle fields are now being rapidly thinned by Father Time; 20,000 or more have passed over the Great Divide to answer the last "roll call" during the past year.

Their marching line is now thinned to color bearers and file bearers. It is now only a specter army of gray-haired men, who once a year on Memorial Day keep step to the shrill of the old fife and the taps of the muffled war drums. To-day the worn blue line closes up the gap made upon it by another year; again it is marching to the "bivouac of the dead" to pay tribute to their old comrades, and beside the worn line of blue marches the thin line of the gray.

Those in the robings of glory,
Those in the gloom of defeat,
All with the battle blood gory,
In the dusk of eternity meet.
Under the sod and the dew,
Waiting the judgment day,
Under the laurel the blue,
Under the willow the gray.

From the silence of sorrowful hours
The desolate mourners go,
Loving laden with flowers,
Alike for the friend and the foe.
Under the sod and the dew,
Waiting the judgment day,
Under the roses the blue,
Under the lilies the gray.

As we attend each successive Memorial Day exercises we see fewer of the old familiar faces, and it will only be the space of a few short years when we will be called upon to attend the last rites of the last herp of the Civil War and hear our chaplain

repeat these solemn words: "Earth to earth, ashes to ashes, and dust to dust."

When the last hero of 1861 has passed to his reward the veterans of 1898 will carry the good work onward until they, too, pass over the great divide; but until that time Memorial Day will be to us who were lucky or unlucky enough to have taken part in the Spanish-American War a sacred trust, bequeathed to us by the immortal heroes of the Civil War.

As I have said, in addition to honoring those who died on land and on sea in 1861 and 1898 we are to-day paying our memorial tribute to those who have died on land and on sea in this great war.

The first Americans to give their lives for their country were those who died on the *Tuscania*.

The boys who died when the *Maine* was blown up in Habana Harbor we honor as much as those who died at Gettysburg.

The boys who died on the *Tuscania* will be honored by us as much as if they died on the blood-stained fields of France.

These boys who died on the *Tuscania* died like Americans should die.

There was no panic. They stood at attention while the vessel sank deeper and deeper into the Atlantic singing "America" and "The Star Spangled Banner."

As has been well said: "America asks for the names of these lads—every one of them. Though the boys have perished, their names are not to die. Those names, humble or proud, will be inscribed upon no less august a page than the book of the history of human liberty; and the tears that fell upon the page will not be the tears of weakness.

"As surely as God reigns and keeps the flame of liberty burning in American hearts the murderers who ordered the death of these lads will be brought to justice. The lion looks after her whelps, and the tiger after her cubs; and the Eagle looks after her own."

Some day I hope to see a suitable monument erected to the memory of the brave boys who died on the *Tuscania* and hope that their bodies will lie at Arlington Cemetery near the bodies of the brave heroes of the *Maine*.

It took many years for the bodies of the *Maine* to be brought to Arlington Cemetery, and might still be in Habana Harbor were it not for the efforts of our hard-working comrade, Capt. J. Walter Mitchell, of this city.

Believing the boys ought to receive the same honors as those who died on the *Maine*, I have introduced a bill to give them equal honor, and hope sometime to see it a reality.

The Kaiser misunderstands the American people, the French people, and the British people. Acts of terrorism, like sinking hospital ships, drowning helpless men, women, and children, bombarding helpless women and children, did not drive nations into cries of peace at any price, but it did drive nations that might have remained neutral into the war on the side of the allies.

It took us a long time to "wake up," but the Eagle is thoroughly aroused now and will look after her own.

We did not start this fight; we were not looking for this fight; but we are going to finish it—and finish it right—and that is the absolute destruction of Prussian militarism.

FOOL'S PARADISE.

We have been living in a fool's paradise for many years.

We had an idea that because we wanted no trouble, that because we envied no other nation, because we had no desire for a quarrel with any other nation, and because we only asked that we be allowed to live our lives in our own way, that no nation would want to quarrel with us.

We thought because we wanted no fight that the other fellow would feel the same way.

We were further lulled into sleep by pacifists, most of them being paid to spread the doctrine of the Kaiser by so much per night, and by the statement that we could "raise a million men overnight, if necessary."

You can not make a farmer or a miner overnight; neither can you make a first-class fighting man by a mere call to arms.

I believe in peace; in fact, I want peace so much that I am willing to fight for it, if necessary.

My experience in life is that "turning the left cheek" when you get slapped on the right sounds all right, but it does not stop from having the blow repeated.

I never had much use for a pacifist, anyway; I have always agreed with the sentiment that "A pacifist was the first cousin to the ostrich." The one great difference between the ostrich and the pacifist is that when danger is nigh the ostrich knows enough to hide his head in the sand and keep his mouth shut.

The ostrich grows white and black feathers, while his relative grows only white feathers and has a yellowish streak running from the back collar button down the back to the base of the suspender. The pacifist idea of preparedness is to shuffle darning needles, drink weak tea, and eat prunes.

"Peace at any price" and "a soft answer turneth away wrath" is the pacifist yodel, but a mule does not give you a chance to whisper "peace" in his ear before he lets loose with a bushel of kicks. None of us want war, but, then, it does not hurt the other fellow, you know, when he is standing on your pet corn.

Well, to tell the truth—the real truth—about the average pacifist in case of war, my humble opinion is that you will generally find that he is the guy that gets shot in the back.

SO-CALLED PEACE SOCIETIES.

A few years ago this country was flooded with the so-called peace societies. Three years ago Memorial Day, at Ironwood and Bessemer, Mich., I said, in part:

Instead of spending time forming societies for the advancement of peace, we ought to spend our time for the advancement of patriotism as a primary ideal—yes; even ahead of peace. There is no use wasting time talking about the horrors of war; we all admit their horror. Why not spend some time in talking about the horrors of war which unpreparedness begets?

Yes; and if the Navy of Great Britain did not give us time to get an Army ready, we would be to-day experiencing all the horrors of unpreparedness for war.

I believe in peace; but we only want peace that means a permanent and lasting peace.

There is a vast difference between peace at any price and peace with honor.

It was the President of populous China and not the Emperor of tiny Japan who said:

Our rights in Manchuria have been grievously violated, but our weakness invited insult.

WENDELL PHILLIPS.

Wendell Phillips, of the Civil War times, believed in peace, but he believed in a peace that meant something.

He expressed the right kind of sentiment when he said:

In my view, the bloodiest war ever waged is infinitely better than the happiest slavery which ever fattened men into obedience. And yet I love peace; but it is a real peace that I love, not peace such as we have had; not peace that meant lynch law in the Carolinas and mob law in New York; not peace that meant chains around the Boston courthouse, a gag on the lips of statesmen, and the slave sobbing himself to sleep in curses. No more such peace for me; no peace that is not born of justice and does not recognise the right of every race and every man.

Not only was the country flooded with "peace" societies, but we were flooded with songs on the same lines as "I did not raise my boy to be a soldier," which really meant that you were raising your son to be a coward, and that in case you were attacked the son of some mother who raised her son to be a man—not a coward—will have to defend you.

It took a man whose own son died in France and lies in a grave there—but not a forgotten one—to give a suitable answer to that poem. The following verses were written by Dr. James D. Hughes, of Toronto, Canada:

God gave my son in trust to me;
Christ died for him, and he should be
A man for Christ. He is his own,
And God's and man's; not mine alone.
He was not mine to "give." He gave
Himself that he might help to save
All that a Christian should revere,
All that enlightened men hold dear.

"To feed the guns!" O torpid soul!
Awake, and see life as a whole!
When freedom, honor, justice, right,
Were threatened by the despot's might,
With heart aflame and soul alight,
He bravely went for God to fight
Against base savages, whose pride
The laws of God and man defied;
Who slew the mother and her child,
Who maidens pure and sweet defiled.
He did not go to "feed the guns";
He went to save from ruthless Huns
His home and country, and to be
A guardian of democracy.

"What if he does not come?" you say;
Ah, well! My sky would be more gray
But through the clouds would shine
And sacred memories be mine;
God's test of manhood is, I know,
Not "Will he come?" but "Did he go?"
My son well knew that he might die,
And yet he went with purpose high
To fight for peace and overthrow
The plans of Christ's relentless foe.

He dreaded not the battle field;
He went to make fierce vandals yield.
If he comes not again to me
I shall be sad; but not that he
Went like a man—a hero true—
His part unselfishly to do.
My heart will feel exultant pride
That for humanity he died.

"Forgotton grave!" This selfish plea
Awaked no deep response in me
For, though his grave I may not see,
My boy will ne'er forgotten be—
My real son can never die;
'Tis but his body that may lie
In foreign land, and I shall keep
Remembrance fond, forever, deep
Within my heart of my true son,
Because of triumphs that he won;
It matters not where anyone
May lie and sleep when work is done.

It matters not where some men live;
If my dear son his life must give
Hosannas I will sing for him,
E'en though my eyes with tears be dim.
And when the war is over, when
His gallant comrades come again,
I'll cheer them as they're marching by,
Rejoicing that they did not die;
And when his vacant place I see
My heart will fill with joy that he
Was mine so long—my fair young son—
And cheer for him whose work is done.

"PEACE" SOCIETIES.

As I said, we had all sorts of so-called "peace" societies—most of them being financed by the Kaiser.

They really wanted to keep us out of the war so that the allies would be defeated, and we receive our "licking" a little later—all this was done under the guise of "peace."

Every little while some new propaganda would start up, and those of us in Congress would be bombarded with hundreds and thousands of letters and telegram asking us to vote for "peace" and "keep us out of war," etc. They were more interested that we should do nothing to hurt the Kaiser than they were to keep us out of war.

Several times, so-called "peace" societies gave us to understand that if we did not vote "right" we would be defeated. Well, when I have to agree to vote against American rights in order to further the rights of some other country, I will not be in Congress.

"EMBARGO" RESOLUTION.

The first propaganda was what we called the "Embargo" matter. The "pence" societies claimed they were advocating it because they wanted the United States to remain "neutral" but when you examined the arguments—and some of the names—you wondered what the word "neutral" really meant, and if it (and the arguments) were not "made in Germany."

What it really meant was that every American port should be closed, our commerce would be absolutely destroyed, our goods would rot on our docks, our workmen would no longer work and our factories be closed, and why? Simply that the nations that had not brought on this war, who had not prepared, who had little or no ammunition or guns on hand should be at the absolute mercy of the nation which had been planning for many years to make itself the conqueror of the entire world.

But these "peace" societies said the "war would be over" if it was not for us. So it would, but I leave it to you, who would have won and if Germany had won—with the intense hatred of the Kaiser for us—where would we be, and what price would we pay for our unpreparedness?

M'LEMORE RESOLUTION.

Then came the McLemore resolution. We were to say "stay in America and we will protect you." "Go to any other country and we will forsake you."

We were to forbid our citizens to travel on vessels of commerce—in other words, we would become a hermit nation.

Personally, I have always approved of the sentiment, "wherever an American goes lawfully and observing the law, there the flag goes with him and there it must ever go. If the flag does not protect the citizen, when the time comes, the citizen will not protect the flag," and I was proud to vote against such an un-American resolution.

ARMED MERCHANT SHIPS.

The next propaganda was against a resolution to allow "American vessels under American registry," to be allowed to do what? "Arm for defensive purposes only"—against what—"unlawful attack"—and yet men in high places conducted a filibuster so that the bill did not reach a vote in the Senate although passing the House by a large majority.

Contrary to what many people believe, there was not a single French or British armed merchant ship that entered or left an American port until we entered the war; also contrary to what many believe there was not a single pound of ammunition carried on an American ship until we entered the war. True it is that we sold ammunition to the allies, but they either carried in on their own bottoms or on the bottoms of neutrals.

CONSCRIPTION BILL.

The next propaganda of the "peace" societies was against conscription—it was so un-American, you know. Well, we know the real reason was they were afraid it would be too effective in raising an army to defeat Prussian militarism that these "peace" societies so dearly loved.

We have had no propaganda lately, and I don't believe that I am violating any confidence when I say that we are getting so much "iron" in our blood day by day since our boys went to France that another propaganda by these "peace" societies will mean that the price of rope will be going up.

NO WAR MORE JUSTIFIED THAN THIS WAR.

No war—not even the Revolutionary War—was more justified than this war. In no war was there so much at stake. Our lives, the lives of our children, the lives and honor of our women, are all at stake to-day.

In 1776 we fought Great Britain because we were against "taxation without representation," but Great Britain had not cruelly and deliberately murdered our men, women, and children on the high seas.

In 1798, when France interfered with our rights on the seas, we sent our boats to sink, capture, or destroy every French boat on sight, and we kept this up until France agreed not to interfere with our rights; but France did not murder our citizens.

In 1812 we fought Great Britain a second time because she interfered with our rights on the seas, and this was by her claiming the right to take deserters from her boats off of ours. Great Britain had not murdered our citizens.

In 1861 we fought the South because she wanted to disrupt the Union; she had not murdered our innocent women and children.

In 1898 we believed that Spain was responsible for the sinking of the *Maine* and the murder of our citizens in Habana Harbor; we declared war against Spain; but Spain had not deliberately and repeatedly murdered our innocent women and children.

That remained for Germany—under the iron heel of the Kaiser—to do; and we would have been worse than cowards if we submitted to the disgrace.

Our boys have gone to France to fight for the freedom of America; but they are also fighting for the freedom of the entire world.

Not only are we fighting for liberty, but France and our allies are fighting for the same glorious cause.

As the patriotic Viviani so well expressed it:

Why do all these people fight? They fought to elevate all the world toward the ideal and toward liberty; they fought to make the world a place in which man could breathe freely, and they did not fail. I salute the hour of victory with the pious hope that the spirit of Washington will become your spirit. Lift your heads, citizens of America, lift them as high as your flag.

WASHINGTON—"ENTANGLING ALLIANCES."

Our pro-German friends state we have no right to be mixed up in this fight, and lay great stress on what Washington, the Father of our County, had to say about entangling alliances.

Well, let us see what he did say:

If we remain one people the time is not far off when belligerent nations will not lightly hasard the giving us provocation, when we may choose peace or war as our interest, guided by justice, shall counsel. It is our policy to steer clear of permanent alliances with any portion of the foreign world. Taking care always to place ourselves by suitable establishments in a respectable defensive posture, we may safely trust ourselves to temporary alliances for extraordinary emergencies. Nothing short of self-respect and that justice which is essential to a national character ought to involve us in war.

If defending ourselves against violation of our women and maiming of our children, drowning of innocent men, women, and children, defending ourselves against a nation violating every rule of honorable warfare and every law of civilization is not what Washington called "extraordinary emergencies," then will our peace-at-any-price men tell us what they would consider "extraordinary emergencies"?

WHO ARE OUR FRIENDS IN THIS FIGHT?

Who are our friends in this fight, and what do they represent?

For the first time in our history we are on the same side as Great Britain and our Canadian cousins. Can we read of the heroic deeds of the Canadians and the British without thanking God that our boys are fighting side by side with men who have shown their heroism on many a bloody battle field?

This is not the first time we have fought side by side with France—France the nation that sent us Rochambeau, De Grosse, and the immortal Lafayette. We have not forgotten that were it not for France there would be no United States. We ought to be, and we are, proud to fight in the same glorious cause as

heroic France—France, the land that they thought was dead and decayed; France that has astonished and received the admiration of the world by the bravery of her men and her women.

We are fighting on the same side as sunny Italy, the land of art and song; the land that sent us Christopher Columbus; Italy, the land of Garibaldi, Mazzini, and Cavour.

We are fighting side by side with the heroic soldiers of little Belgium, "bleeding Belgium," that little land that preferred to die rather than lose her honor. We are proud to fight on the same side as the gallant men of little Serbia, the brave; the men of desolate Poland; the men of gallant Greece; and the men of Montenegro and Portugal.

We all fight for a common cause—the liberty of the world. If the allies win, we win, and we will all be free men; if the allies lose, we lose, and with them we become slaves of the Kaiser.

If a man talks to-day against Italy, Serbia, Great Britain, France, or any of our allies, look out for him; he is a pro-German at heart and is just as much a traitor deep in his heart as if he talked against the United States.

If there is any doubt in the minds of anyone that the Kaiser and his tools are not more terrible than Attila and his Huns, let us bear the following facts in mind:

ATTILA, THE HUN, NEVER MADE WAR ON WOMEN, AS THE KAISER IS DOING.

Attila, the Hun, nor Nero, nor any other savage in the history of the world, ever made war on women, as the Kaiser has in this war.

Attila, the Hun, never imprisoned women in underground prisons, tethered for the use of their bodies by officers and men, and yet that is the fate of thousands of women in the occupied territory in northern France.

Attila, the Hun, never compelled women and men to salute their captors, and yet women in France are not only compelled to salute, but also to smile when saluting or go to jail.

Imagine if the Hun had come to this town, killed the fathers, brothers, and husbands, cut off the hands maybe of your son, and then every time that you met an officer your mothers, sisters, and wives, and daughters had not only to salute, but smile—and very graciously at that—or go to jail. But this is what is happening in France and Belgium every day.

That is not all. In captured towns where hunting was good and game plentiful but dogs scarce, girls have been used as hunting dogs, and when they refused have been imprisoned in cellars for each such refusal. Imagine our American women being used in place of hunting dogs; and yet why should our women receive any better treatment than women of France or Belgium?

Officers have not hesitated to horsewhip not only priests of 60 and over who did not salute, but have also used the horsewhip on women who refused to smile and salute. Imagine our American women being horsewhipped for refusing to smile and salute men responsible for the death of their dear ones.

Women in northern France have been compelled to work in the fields. That is not all. They have worked under the lash. When we fought the Civil War we thought we had abolished slavery for black men and black women, but to-day we find slavery for white men and white women.

When young you remember our hatred for the slave driver, Simon Legree, who used the lash on black men and women, but we never dreamed when men calling themselves civilized would make slaves out of white men and women and use the lash with even more ferocity than Simon Legree.

That is not all. These mothers, wives, and daughters are compelled to work close to the firing line; many times so close that their captors are afraid to stay with them.

More than that. Many a time when aeroplanes were sailing by, the keepers would run to cover, but the women, under penalty of punishment, were compelled to stay in danger.

Reputable witnesses have seen elderly women whose legs or arms have been broken by German officers.

Schoolboys have been taken out of school at St. Quentin and transformed into street sweepers.

In many places mothers have been torn from their children in arms and from sobbing and desperate little girls, who threw themselves upon their knees without avail, and sent far from home, to either work in the fields or be used for digging trenches.

If we want to see American women used as hunting dogs; if we want to see our mothers and daughters and wives working in the fields with German Simon Legrees lashing them with the whip; if we want to see American women kept in stockades for a punishment worse than death; if we want to see American women digging trenches; if we want to see our schoolboys used as street sweepers—then let us talk about peace on any terms; but if we want to see the old vicious Prussian military system wiped out—and its advocates with it—then let us resolve that there shall be no talk of peace until the allies and ourselves reach Berlin. We want our guns to do all the talking from now on.

This war can not be won by dropping peace messages on the foe—they do not understand that kind of language; dropping dynamite by the ton they will understand a little better; but the peace talk they will understand best of all is the soldiers of the allies and ourselves being quartered in the palaces of the Kaiser at Potsdam and Berlin.

WHAT WOULD HAPPEN IF THE WAR CAME TO AMERICA TO-DAY?

What would happen if the war came to America to-day? The war is not 3,000 miles away to-day, as some people think. In fact, if it was not for the British and French Navies it would be here to-day.

War came to Belgium not because Germany had any grievances against Belgium, but because Belgium refused to allow Germany to invade her territory for the purpose of attacking France from the rear.

Because Belgium was invaded, Great Britain entered the war, and Germany was surprised that Great Britain should enter a war because a treaty—a "mere scrap of paper," as Germany expressed it—had been violated.

Belgium has paid a heavy price for the defense of her honor—the Kaiser has taken possession of nearly all of her territory and subjected her people to the yoke of his brutal soldiers.

What would happen if this war reached our shores to-day?

Our people would be slaves of brutal officers and men.

They would extort vast sums from our peaceful villages and cities.

Many of our towns and cities would be burned, and many of our churches burned or destroyed by shell.

Our factories would be stripped of their machinery. Our raw material and machinery would be shipped to Germany.

American workmen by the thousands would be used as slaves, and our women as worse than slaves. Thousands of noncombatants—regardless of age or infancy or of womanhood—would be slain.

All of these things have happened in France, Poland, Serbia, and Italy and Belgium—what reason have we for thinking that we Americans would receive any special consideration? In all of these countries women have been violated by the tens of thousands, but has anyone heard of a German or Austrian soldier being punished for rape, or robbery, or murder?

If the war was in America to-day—in your city, for instance—you would see your mayor, your common council, and a hundred or so of your leading citizens as hostages.

You would see the women of Washington working in the trenches; you would see your sons used as street sweepers and diggers of trenches.

You would see your homes robbed of everything of value; your family driven into the street.

If some one fired a shot—your mayor, council, ministers, and many of your women would be shot or hanged.

Thousands I have said are the things that happened in Belgium, France, Italy, and Serbia, and are the things that will happen here. We must get all over the idea of this war being 3,000 miles away and look upon everything as if the war had reached the shores of America. Every one of us must do everything in our power to-day, because if we do not all these things and worse will take place in the peaceful villages and cities of America, as well as they have taken place in the peaceful villages of sunny France.

"OUT OF THEIR OWN MOUTHS"—THE TRIUMPH OF GERMANY REAL CAUSE OF WAR.

We claim that the only cause for the present war is the fact that Germany—not her poor sister, Austria—wants to dominate all Europe.

To prove that fact, I will only call one witness—the one man who knows—the Kaiser himself. In a proclamation in June, 1915, he used these words:

The triumph of the greater Germany, which some day must dominate all Europe, is the single end for which we are fighting.

Does anyone want any better evidence?

KAISER RESPONSIBLE FOR ALL OUTRAGES.

We claim that the Kaiser is responsible for all the outrages committed by his troops, and that all these outrages are according to a policy advocated by him many years ago.

We quote, to prove our case, his speech to his Chinese Expeditionary Force, July 27, 1900:

If you come to grips with him, quarter will not be given, no prisoners will be taken. Use your weapons in such a way that for a thousand years no Chinese shall dare to look upon a German askance. Be as terrible as Attila's Huns.

History proves that in China, as well as in this war, the Kaiser's soldiers were more terrible than the Huns of the terrible Attila.

INVASION OF BELGIUM VIOLATION OF INTERNATIONAL LAW.

We claim that the invasion of Belgium was a violation of treaty between Germany and Belgium, and as our star witness we quote Chancellor von Bethmann-Hollweg, in a speech to the Reichstag, August 14, 1914:

Our troops have occupied Luxemburg, and perhaps have entered Belgium territory. Gentlemen, that is a breach of international law. The wrong—I speak openly—the wrong we thereby commit we will try to make good as soon as our military aims have been attained.

GERMANY HAD NO GRIEVANCES AGAINST BELGIUM.

We claim that Germany had no grievance against Belgium, and we call as our witness the German minister of foreign affairs:

Germany has nothing with which to reproach Belgium, whose attitude has always been correct.

GERMANY'S SOLDIERS TAUGHT TO BE HARD AND CRUEL.

We claim that Germany's soldiers are taught to be hard and cruel.

Gen. von der Goltz says:

It is better to let a hundred women and children belonging to the enemy die of hunger than to let a single German soldier die.

Another witness, Gen. von Hindenburg, states:

The more merciless, the kinder it really is; because it will end so much the quicker.

We claim that noncombatants, innocent men and women, were used as hostages and shot without evidence or trial.

In a proclamation of Gen. von Bülow, Namur, Belgium, on August 25, 1914, he said, in part:

Every street will be occupied by a German patrol, who will take 10 hostages for the street. If an assault takes place in a street, the 10 hostages will be shot.

In other words, if a drunken soldier attempts to break into a house, or anything of this kind, then 10 innocent people will be killed without trial.

We claim that orders have been issued by German generals that no prisoners must be taken in the approaching battle. Was not Attila, the Hun, a piker?

I now present as witness Gen. Stenger, commander of the Fifty-eighth Brigade, who, in the order of the day to his men on August 26, 1914, used these words:

Beginning with to-day, no more prisoners are to be taken. All prisoners are to be put to death. The wounded, whether armed or not, are to be put to death. Prisoners, even where they are organized in large units, are to be put to death. No living man is to remain behind us.

This order was carried out to the letter in that battle. Examination of German prisoners showed by the blood on their rifles that many wounded Frenchmen had been clubbed to death by rifle butts.

We claim that their soldiers have carried out, in many cases, the orders "take no prisoners," made by Gen. Stenger and others like him.

A diary found on Under Officer Klemt stated in part:

A weird noise near me comes from blows that a soldier of the One hundred and fifty-fourth is raining upon the bald head of a Frenchman with a clubbed rifle. Very wisely he has appropriated for this piece of work the Frenchman's gun, for fear of breaking his own. Very soft-hearted men put the French wounded out of their misery with bullets; the others hew and stab whenever they can, but whether they are slightly or mortally wounded, our brave musketeers save the Fatherland the costly care of numerous enemies.

Under Officer Göttsche, Eighty-fifth Infantry Regiment, Ninth Army Corps, wrote in his diary:

The captain called us about him and said: "In the fort that is to be taken there are, in all probability, Englishmen. I do not wish to see a single English prisoner in the hands of the company."

And then Göttsche add:

A general shout of assent was the response.

In a letter to his wife to be, March 16, 1915, Johann Wanger said in part:

I have also bayoneted a good number of women. During the battle of Budenwiller I did away with four women and seven young girls in five minutes. The captain had told me to shoot these French sows, but I preferred to run my bayonet through them.

Another said in part:

Where before were peaceful people and a flourishing village is now a heap of ruins. Far indeed did the destructive fury of the Two hundred and thirtieth extend, and we can scarcely be looked upon as soldiers. When we are up at the front it is as if we were the greatest criminals. Thus it is we do our work of destruction in France. Picture to yourself how we live now, not like men, but like beasts. Far and wide there are no trenches, only bare fields and stumps of trees growing where once man plowed his field and worked for wife and child. That is our retirement and our part in it. My mind can not dispel the thought that I shall not return.

TAUGHT THAT "TERRORISM" IS RIGHT.

We claim that they state that any act committed by the recruit for the purpose of discouraging, defeating, and destroying the enemy is fully justified.

We quote Maj. Gen. von Disfurth:

No object whatever can be served by taking notice of the accusations of barbarity leveled against Germany by her foreign critics. We owe no explanation to anyone. Whatever act is committed by our troops for the purpose of discouraging, defeating, and destroying the enemy is a brave act and fully justified. Germany stands as the supreme arbiter of her own methods. War is war.

They call us barbarians. What of it? We scorn them and their abuse. For my part, I hope that in this war we have merited the title of "barbarians." Let neutral nations and our enemies cease their empty chatter, which may well be compared to the twitter of birds. Our troops must achieve victory. What else matters?

KING OF PRUSSIA UNRESTRAINED BY ANY LAW OR CONSTITUTION.

We claim that the King of Prussia is unrestrained by any constitution or law. The following proves our case: Several years ago one Kuepper, postmaster in the Prussian town of Wirmelkirchen, was charged with embezzling $7,000. Kuepper died in this country, and under the laws of Germany the King sued Kuepper's administrator in the State of Missouri.

The opening declaration reads as follows:

The plaintiff states that he is absolute monarch of the Kingdom of Prussia, and as King thereof is the sole government of that country; that he is unrestrained by any constitution or law; and that his will, expressed in due form, is the only legal power there known to exist as law.

KAISER CLAIMS TO BE INSTRUMENT OF GOD.

We claim that the Kaiser believes that he is the instrument of the Almighty God.

We quote the language that William II used on December 19, 1914:

Remember that you are the chosen people. I am the instrument of the Almighty. I am His sword—His agent. Woe and death to all those who oppose my will! Woe and death to all those who do not believe in my mission! Woe and death to the cowards!

KAISER DREAMED OF BEING EMPEROR OF THE WORLD.

We claim that for many years the Kaiser has had a dream of being ruler of the entire world.

We quote the language used by him sometime ago:

All my life I have been under the influence of five men—Julius Cæsar, Alexander the Great, Theodoric the Second, Frederick the Great, and Napoleon. These five men had their dream of world empire. They failed. I, too, have a dream of world empire. I shall succeed. When this war is over I will stand for no nonsense from the United States.

GERMANY CONTEMPLATED THIS WAR FOR MANY YEARS.

We claim that Germany has contemplated this war of conquest for more than 20 years.

As witness we call Admiral Von Goetzen, who said to Admiral Dewey in 1898 at Manila:

About 15 years from now my country will start a great war. She will be in Paris after the commencement of hostilities. Her move on Paris will be but a step to her real object—the crushing of England.

GERMANY DISLIKED THIS COUNTRY FOR YEARS.

We claim that Germany has hated this country for many years and intended to put our country "in its place."

We use the same witness, Admiral Von Goetzen, who also said to Admiral Dewey:

Some months after we finish our work in England we will take New York, and probably Washington, and hold them for some time. We will put your country in its place regarding Germany. We do not propose to take any of your territory, but we do intend to take a billion or so of your dollars from New York and other places.

OPPOSED TO THE MONROE DOCTRINE FOR MANY YEARS.

We claim that Germany has been opposed to the Monroe doctrine for many years.

We call the same witness, who said to Admiral Dewey:

The Monroe doctrine will be taken care of by us, and we will dispose of South America as we wish. Don't forget this about 15 years from now.

PRUSSIAN MILITARISM MEANS CLASS RULE.

We claim that Prussian militarism means class rule, and that private soldiers are treated like beasts of burden instead of men.

Contrary to the Swiss system and the Australian system, which means the training of free men to be able to fight as free men for the rights and liberties of a free land, the Prussian system means the absolute rule of the few.

We will prove this by the testimony of German soldiers.

In a trial in 1914, which was postponed on account of the war, many vicious acts by officers—noncommissioned as well as commissioned—were disclosed.

One witness stated that—

Recruits were made to sweep the rooms with toothbrushes, climb on wardrobes, slide under beds on their stomachs; were beaten with whips, particularly at night.

Another soldier stated:

Boxing of ears, blows, even with the sword and the riding whip, were daily occurrences.

Another soldier stated:

Lieut. Schmitt boxed a soldier's ears, then ordered all men to leave the room, and one heard only groaning and curses. The recruit was injured in such a manner that he had to be discharged, and received a pension for injury in the service.

A private testified:

Recruits were compelled to sweep the rooms of the noncommissioned officers from 9 to 11 at night with toothbrushes.

Another stated:

Noncommissioned officers compelled soldiers to lie in dirty ice water and dung water.

Still another testified:

In the Fourth Squadron of the Regiment Garde du Corps recruits were maltreated in the most brutal manner with ropes, snaffles, horse brushes, the sword, etc.

In the Queen Augusta Guard Regiment, No. 4, Sergt. Waske ordered a grenadier to lie down before a cuspidor and then called out, "Drink." The evidence at the trial showed that the grenadier did drink from the cuspidor quite obediently, which proves the fear the privates have of their officers.

The evidence showed that in the Guard Train Battalion "Noncommissioned Officer Hoffman ordered exercises which consisted in bending their knees, while the men had to hold a full manure box in their outstretched arms."

In the Fiftieth Infantry Noncommissioned Officer Poeselt, at inspection of their rooms, "ordered the recruits to take cuspidors in their hands, and he then threw the disgusting contents into their faces."

In the King's Grenadier No. 7, a recruit was also "ordered to drink the contents of a cuspidor."

If I had the time, I could relate many more incidents which were given at this trial by private soldiers.

MINISTERS TAKE OATH TO PREACH THE GOSPEL AS KAISER DICTATES.

We claim that ministers take an oath that they "will preach the word as his gracious majesty dictates."

In proof I offer the following:

When Rev. James D. Jeffery, of the Scovel Memorial Church, Detroit, Mich., said the following a few weeks ago, a peculiar quiet came over the crowded church:

PREACH AS THE KAISER DICTATES.

Let me read you the oath of fidelity which all who seek to enter the pulpit in Germany must take. It reads: "I will be submissive, faithful, and obedient to his royal majesty and his lawful successors in the government as my most gracious king and sovereign; promote his welfare according to my ability; prevent injury and detriment to him; and particularly endeavor carefully to cultivate in the minds of the people under my care a sense of reverence and fidelity toward the king, love for the fatherland, obedience to the laws, and all those virtues which in a Christian denote a good citizen, and I will not teach or act in a contrary spirit. I will preach the word as his gracious majesty dictates."

Does one need any additional evidence?

KAISER CLAIMED AMERICAN CITIZENS AS HIS SUBJECTS.

We claim that the Kaiser himself thought that the former Germans were still his subjects, and that he believed that they considered they owed first allegiance to him in preference to the United States.

In 1908 we find him decorating Herr Dr. Hexamer, then president of the German-American Alliance, decorating the distinguished "herr" and using these words:

If any man ever was worthy of decoration at my hands, it was Herr Dr. Hexamer, the president of the league, who may justly be termed by my grace the acting ruler of all the Germans in America in the United States.

Do you get that—"by my grace"? And while we were flattering ourselves that we were the freest of the free, Kaiser Bill was flattering himself that he had here, "by my grace," an "acting ruler of all Germans in the United States."

We claim that the Kaiser claims his soldiers are his, body and soul.

In support of our claim we quote his language to the Potsdam recruits:

Children of my guard, you are now my soldiers, body and soul. You have sworn to obey all my commands. From this day on you must know but one enemy, and that enemy is my enemy. And if I command you some day to fire upon your own relatives—your fathers and mothers, sisters and brothers, perhaps—remember your oath, and obey.

WHILE CLAIMING TO BE FRIENDLY CONSPIRING WITH MEXICO.

We claim that Germany while claiming to be friendly with us was trying to make a treaty with Mexico and Japan to invade our soil and take part of our territory.

We produce the note written by Undersecretary Zimmermann before we entered the war, written on January 19, 1917:

On the 1st day of February we intend to begin unrestricted submarine warfare. In spite of this, it is our intention to endeavor to keep the United States neutral.

If this attempt is not successful, we propose an alliance with Mexico on the following basis: That we shall make war together and together make peace. We shall give general financial support, and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas, and Arizona. The details are left to you for settlement.

The President of Mexico, according to note, was to offer to mediate between Germany and Japan.

It is hard for us living in America to believe that mothers and sisters and daughters and fathers do not raise up in rebellion at even an intimation that bodies of their loved ones are being "rendered down" to secure oil and other products; and yet if we believe what was said in the paper called Reality, it would seem as if this is happening. The article reads as follows:

THE GERMAN DEAD—AN ADMISSION.

The Germans are no longer taking pains to conceal the fact that their dead soldiers are being "rendered down" to secure oil and other products.

Herr Karl Rosner, the correspondent of the Berlin Lokalanzeiger on the western front, published on April 10 the first definite German admission. In a description of the battle field north of Rheims he wrote:

We pass through Evergnicourt. There is a dull smell in the air, as if lime were being burnt. We are passing the great corpse exploitation establishment (Kadaververwotungsanstalt) of this army group. The fat that is won here is turned into lubricating oils, and everything else is ground down in the bones mill into a powder for mixing with pigs' food and as manure.

Herr Rosner conveys this information with no comment but the remark that "nothing can be permitted to go to waste."

Here is confirmation of an article in the Paris Journal published on March 9. It quoted from the technical paper Chemische Zeitung (Chemical Gazette) of November 18 last this announcement:

Thermochemischer Verein Alcolsheim (Strassburg). On account of the departure of our manager, we require an engineer, free from military obligations, to direct, technically and commercially, our factory for the destruction of dead bodies.

The name of the factory (said the Journal) leaves no doubt respecting the nature of the work carried on in this thermochemical factory; that is to say, it is not solely destruction by heat, but it also comprises the chemical treatment and utilization of the bodies.

A statement on February 28 by the American consul who left Germany at the same time as Mr. Gerard is additional confirmation, if that were now needed.

"ON WHICH SIDE ARE YOU?"

Now that we are at war, we say to every man here, "On which side are you?"

To our adopted citizens we say, "Are you for the land that you were glad to leave or are you faithful to the oath you took when you renounced all other lands and all other rulers for this land?"

To our native born we say, "Are you going to be a patriot like Washington, and Lincoln, and Grant, and millions of others, or do you prefer to be remembered as another Benedict Arnold of unsavory fame and reputation? Choose ye this day whom ye will serve."

I know, judging from my own district, and thousands of others I have met, that the great majority of our people, adopted and native born, are for this country heart and soul.

I come from a district in which every man is either an immigrant or the son of an immigrant.

NO MORE BRITISH, IRISH, ETC., NOTHING BUT AMERICANS.

We used to talk of ourselves as Irish, Italians, Scandinavians, French, Cornish, and so forth, but when the war broke out we found that we were mistaken, that we were not Germans, Scandinavians, British, Finnish, Jews, and so forth, but Americans—100 per cent Americans at that—and that our pro-Germans were nearly nil.

I have had only one letter condemning my votes all through this trouble, and that was by a young fellow who seemed to think that working three months in a brewery made him more capable of looking after matters of state than the State Department.

Have had some letters from some other parts of the country, however. For instance, had a long letter from one Joe Smith, who underlined every word once, some twice, and some three times. About the mildest thing he said was, "I notice also that you have in Congress your wets and your drys, your proallies and your pro-Germans, your nuts and your peanuts, why not hire a jackass and make it complete?"

I wrote my friend, "Your application received and accepted. Come at once. Your country needs you."

MAJORITY OF AUSTRIANS AND GERMANS LOYAL.

Our Germans and Austrians volunteered the same as our other nationalities, and in fighting for this country they were but following the example of Washington, Hamilton, Nathaniel Greene, Israel Putnam, John Paul Jones, and thousands of other men of English blood or descent who proudly fought for this land against England, the land of their ancestors.

Washington expressed the sentiment of these English of seventy-six when he said:

Unhappy is it to reflect that a brother's sword has been sheathed in a brother's breast, and that the once happy and peaceful plains are either to be drenched with blood or inhabited with slaves. Sad alternative! But can a virtuous man hesitate in his choice?

The Germans and Austrians who are loyal to-day are following the advice of Washington, and the later advice of that loyal American of German birth, Franz Sigel, who said:

Politically I am an American and nothing else; but I am a German. I would consider myself less than a man were I to forget the tremendous sacrifices made by the immigrant Germans in defense of their new fatherland. Shall this blood have flowed in vain? Shall we now attack this America to which we gave all we had to give? This country is our country; our interests are its interests; here we are; here will our descendants be; here we shall stay; the Union, now and forever.

No American to-day is working harder for this country than the son of the man "he fought mit Sigel," than the son of old Franz Sigel—Franz Sigel, jr.

One of the best articles stating why Germans by adoption and ancestry should fight for this country was written by Bishop J. H. Darlington, bishop of Harrisburg, Pa. This was circulated among the Germans of Pennsylvania and adjoining States and had much to do with the change of sentiment there.

He expressed the sentiment of us all when he said:

Many in this country are joined by the strong ties of kindred and ancestral love to the German fatherland, but this should not blind them to the fact that right is right and that might is often the direct opposite of right. We should wish the right to win, so that peace may be soon and permanently "established upon the best and surest foundations." When the war party now in control in Germany and Austria is succeeded by the rational people taking their rightful leadership, there will be a lasting peace, which, pray God, may never be broken again in the world's history.

NO TIME TO PLAY "PETTY PARTY POLITICS."

My district is also a strong Republican district, but we believe up there that this is no time to play petty party politics.

The boys going to France are not Democratic soldiers or Republican soldiers; they are American soldiers. This war is not going to be won by the Republican Party or the Democratic Party; it will be won by a united American people.

No man being a Democrat should vote for a war measure for the sole reason that it is advocated by a Democratic administration; no man being a Republican should vote against any measure simply because it is being advocated by a Democratic administration. The only test should be, Is this the best bill of its kind that can be passed in order to help win the war?

The man in high position or low who attempts to play party politics these days is the best ally that the Kaiser and Von Hindenburg can have.

What has happened in my district is happening all over the country.

PATRIOTISM OF GREEKS, SERBS, AND CROATS.

I had the honor of talking at a mass meeting of several thousand Greeks at Pittsburgh some weeks ago on the ninety-seventh anniversary of the independence of Greece from the rule of the unspeakable Turk, and it was one of the most patriotic and American meetings I ever attended.

On April 21, at Detroit, and April 25, at Pittsburgh, I spoke at mass meetings of the Croats, Serbs, and Slovenes, on the two hundred and forty-seventh anniversary of the death of their national heroes, Peter Zrinski and Frankopan, and one could not see more patriotism or love of this country if one had attended a meeting of Americans who boasted of their Pilgrim Father ancestry.

I found at all of those meetings that while proud of the lands of their birth they were far more proud of the land of their adoption and the fact that they were Americans.

NO MORE TALK ABOUT THE "SCUM OF SOUTHERN EUROPE."

By the way, we do not hear so much about the "scum of southern Europe," as they called the Greeks, Italians, Serbs, and Croats. We found when we entered the war what I have always claimed, "that they would fight for this country with the same devotion as the native born."

This war has taught us that the immigrant who recently landed—the poor "illiterate foreigner," as he was called—is as good an American and will fight as quickly and die as gladly as the men who boast that their forefathers came over in the *Mayflower* or the descendants of the early settlers in Virginia, Maryland, and the Carolinas.

To those few foreigners who are not loyal we say, "Do you think that the fathers of the Constitution ever intended that this land should be a haven of refuge for men to share our prosperity with us and not do their share in our days of adversity?"

We say, "Either fight for us or go back to the land you were glad to leave. We would rather have you over in the trenches shooting at us than here stabbing us in the back for the Kaiser you dearly love."

A traitorous American—adopted or native born—reminds me of a few other things. He reminds me of the flea, because the flea will bite the living or the dead. He reminds me of the fly, because a fly will blow corruption into anything with which he comes in contact. He reminds me of the magpie, because the magpie is always chattering and telling lies. He also reminds me of a side of bacon, because a traitorous American, like a side of bacon, can not be cured until hung.

KISSING THE FLAG WILL NOT MAKE A LOYAL AMERICAN.

I notice a growing tendency among some of our people to pollute our flag by making traitorous Americans and pro-Germans kiss it. I am against that. I would not defile the American flag by allowing traitorous Americans or pro-Germans to kiss it. If it is necessary for them to kiss something to prove their loyalty—disloyalty, rather—let them kiss the dirt in our streets.

I noticed out in Illinois the other day that they not only made a traitorous American kiss the American flag, but they put an American flag around his neck and told him to "keep it there." Well, I am against that, too. If it is necessary to put something around his neck, let us put something there legally, that he will not need to keep there so long.

SPIES.

When I read of spies going around this country doing all sorts of damnable deeds, and see that the only punishment is three square meals a day and sleep in a feather bed, safe from bullets and hunger, until the war is over, and then go back to Germany and be decorated by the Kaiser with the iron cross, and live on a pension from his grateful Government, I can not help but wish that we had a law here that would hang spies.

When old Israel Putnam found a spy, he wrote these words:

SIR: Nathan Palmer, a lieutenant in your King's service, was taken in my camp as a spy; he was tried as a spy; he was condemned as a spy; and he shall be hanged as a spy.

ISRAEL PUTNAM.

But even that did not suit a stern old patriot of the type of Putnam. He blotted that, went out and gave an order, saw that the order was executed, and came back and added these words:

P. S.—He is hanged.

One of our drafted men received 20 years for desertion; another who said in case he was sent to France he would not fight against Germany received 31 years; and the punishment should meet the crime.

One Franz Rintelen, however, who was guilty of treasonable crimes, conspiring to blow up ships with Americans on board, conspiring to blow up factories in which Americans were working, and conspiring to obtain passports to turn over to other spies, received about four years in jail and a fine of $2,000.

I was curious to know why he did not receive death, and found out that he was not tried as a spy, could not be given a sentence of death by being hanged or shot.

Wrote to the Attorney General and was advised by the Attorney General, Hon. T. W. Gregory, under date of March 8, 1918, that Franz Rintelen "was convicted in the United States District Court for the Southern District of New York and sentenced to imprisonment for one year and six months and a fine of $2,000 for a violation of section 235 of the United States Criminal Code." I was a little curious to know what this was, and found it was part of the interstate and foreign commerce act, "shipping of explosives and other dangerous articles without proper marking."

Franz Rintelen also received a year for violation of the Sherman Antitrust Act, and one year and three months under section 37, United States Criminal Code, in connection "with a false and fraudulent passport."

Well, if my spy bill goes through—though very short—they will have some law under which he can be tried. In a bill that I introduced March 11, 1918, as an amendment to Thirty-fifth Statutes, page 1089, it reads as follows:

SEC. 9. Any person, resident in the United States or any place subject to its jurisdiction, who acts as a spy for any government with which the United States is at war or any ally of such government, and who seeks information with the intention of communicating it to the enemy shall, upon conviction thereof, suffer death by hanging by the neck.

It is very short, but very "expressive."

Have many, many strong recommendations of the bill—many from mothers and fathers who have sons in the Army, many in France. Many have come from governors. Among those received was one from Hon. W. H. Hays, chairman Republican national committee:

It is a dandy.

There is nothing political about hanging spies. Among the letters received was one from Judge Wescott, of New Jersey, the man who twice nominated President Wilson for President. Under date of April 15, 1918, he said in part:

Put the bill through. Unless we effectively eliminate the pro-German we will never be united for war purposes, and without perfect unity of purpose and effort it is doubtful whether we can win the war. Partisanship must for the time being disappear.

Another man that recommended the bill, and whether you hate him or love him, you must admit that he is a fighting man through and through, wrote as follows:

That's fine. I congratulate you on what you have done.
THEODORE ROOSEVELT.

WHAT ONE FATHER THINKS SHOULD BE DONE WITH SPIES.

Mr. L. F. McConihe, Tacoma, Wash., who has two boys in France, does not mince words when it comes to stating what ought to be done with spies. He says in part:

Two good meals or three a day (for spies), no work, and a good warm place to sleep in, while the boys we send to the front lie in the mud and sleep anywhere in hell, that is made in Germany. The people are patriotic and will give their last dollar, their sons, and all, but they want the Hun spies lined up against a stone wall and shot, and left to lie there until they swell up and stink, like the boys in No Man's Zone, to show the rest of the Huns what is coming their way sure. I have two boys in France, like thousands of other good boys, and we should back them up here, regardless of the Hun vote this fall and two years from now.

Personally I would rather have the spy hanged, as I think that is the most appropriate death, but hanged or shot, so long as they do not have an opportunity to wear an "iron cross," I do not care.

The following is written by Capt. George Steunenberg, United State Army:

I wonder how long we'll continue to be a health resort for spies
And other industrious gentlemen that the people criticize?
The place for an agent of Kaiser Bill is six feet under the sod.
I want to hear some corporal yell, "Fall in, the firing squad!"

Do we get cold feet at the thought of blood? Have we lost our old-time grit?
If we haven't the nerve to kill a spy, we'd better lie down and quit.
Do you think you can tame these animals by the method of "spare the rod"?
Forget it! Come on with the corporal in command of a firing squad!

If we riddled a few incendiaries, the industry would decline;
If we plugged a couple of profiteers, the rest would stand in line,
And a lot of these devilish anarchists would get in and carry the hod,
If a few of their leaders went over the range to the tune of a firing squad.

"Discharged," "Interned," or "Out on bail," it's ever the same old song.
And we lay the paper aside to remark: "How long, O Lord, how long!"
We've seen enough devilment this past year to arouse the wrath of God,
Then what is it that we are waiting for—come on with the firing squad!

WE MUST INSTILL PATRIOTISM IN OUR CHILDREN.

We must not only be patriotic ourselves, we must instill the same patriotism in our children. Let us teach them that loving their country and their flag is essential as well as loving their God.

And for your country, boy, and that flag, never dream a dream but of serving her but as she bids you, e'en though that service leads through a thousand hells. And no matter what happens to you, boy, and no matter who flatters you or abuses you, never look upon another flag, and never let a night pass that you do not ask God to bless that flag. And remember, boy, that behind officers and Government and people, even, is the country herself, your country, and that you belong to her as you belong to your own mother. Stand by her, boy, as you would stand by your own mother.

FATHERS AND MOTHERS ARE HEROES ALSO.

I never see the boys marching down our streets but what I think of the fathers and mothers who stay at home and hope against hope, sometimes, that their boys will come back to them safe and sound.

Now that he ain't here no more
Ma and me just glance
Up at that old coat he wore
'Fore he went to France.
Nights when all the doors is shut,
'Fore I go upstairs,
Touch its sleeve and find it wet
Ma's been crying there—
Somethin's matter my eyes, too,
Have to wink 'em tight,
When I whisper "proud of you,"
"Good night, lad, good night."

I never see the little wife, trying hard to keep back the tears as she bids farewell to the man who goes to do the fighting, but I think that she is as much a patriot as the man who does the fighting.

For liberty you're going, man,
And honor—therefore go!
But oh, my man, come back, come back,
Because I need you so!

One man in ten must fall, they say;
Each hour my fervent prayer
Will seek its heavenward way to plead
That God may guard you there.

I know the horrors you will see;
I hear the bursting shell;
But, man o' mine, you'll do your part,
And do it more than well!

'Tis such as you they want, my man,
To stem the tyrant's greed;
But oh, my man, come back, come back—
My love, my strength, my need!

—Gertrude Stewart.

MOST CRITICAL TIME IN OUR HISTORY.

My friends, this is the most critical time in the history of the world.

To-day, as Gen. Haig stated a short time ago, we are "with our backs to the wall," but, like Napoleon's drummer boy, we do not know "how to beat a retreat."

It is said that only once in his life did Napoleon lose his courage. This was at the Battle of Wagram.

Believing the battle lost, he said to his drummer boy, "Beat a retreat." He replied:

Sir, Marshal Denny never taught me to beat a "retreat," but I can beat a "charge"; I can beat a "charge" that will bring the dead into line. I played it at the Pyramids, I played it at Lodi, and Austerlitz, and Marengo, and I can play it here.

Napoleon told him to beat a "charge," and he won one of his greatest victories.

So to-day, dark as things may seem, we know not the word "retreat," and right will in the long end defeat and crush might.

When the British Admiralty wanted to take Quebec, they said to the oldest general, "Will you take Quebec?" He replied, "It will be a difficult task." They said "Stand aside." One after another of the generals were called and each gave an evasive answer until the very youngest was reached, and they said, "Gen. Wolfe, will you take Quebec?" He replied, "I'll do it or die." He did both.

So to-day when Gen. Foch believes the time has come for a counterattack he will say to our men and the allies, "Will you march to Berlin?" and they will say, "We'll do it or die." And, like Wolfe of old, they will not fail.

HARMONY IS NECESSARY ON "OUR TEAM."

When I played baseball years ago I was taught that it was more essential that you have harmony and teamwork on your own nine than it was to create dissension on the opposing team.

JACK MAGYAR.

If the captain was to come around and say that his second cousin told him that his brother-in-law had told him that the left-handed pitcher for the Germantowns, Jack Magyar, was sulking, and with a little soft talk he might be gotten to throw the game, I would say that I did not take much stock in that kind of a pitcher, even if the story was true.

JIM AUSTRIA.

If he said he also heard that Jim Austria, the right-hander, was also sore on the management, I would tell him that I did not believe it, because the captain of the Germantowns and Jim Austria had been in too many dirty deals together to separate them.

I would further suggest that, knowing the captain of the Germantowns and Jim Austria as I did, I would rather think that all the talk was to make our team overconfident, so that they could win an easy victory.

TOM BULGAR.

As to Tom Bulgar, the first baseman, trying to get away from them and sign with us, I would state that Bulgar always was a disturber and was the man who broke up the Balkan League by his backbiting and dirty work.

"YOUNG" TURK.

Neither would I place much confidence in the report that Young Turk, their shortstop, was looking for a new berth. I would further suggest from what I have heard about Young Turk and his treatment of the young Syrians, Armenians, and Jews in his neighborhood that he was not the kind of man we would want on our team, anyway.

The score, to use a baseball expression, is about 3 to 1 in favor of Germany to-day.

PENNANT FLYING OVER THE HOME GROUNDS.

If we want to see the pennant fly over the home grounds with the word "Victory" on it, we will have to play the game so that there will be the utmost harmony on our side. Never mind about the talk of dissension on the side of the enemy.

We want to play this game so that Young America will be able to make a home run, with three men on bases, in the last inning, and win the game. That can be done by harmony and nothing else.

"LET US HAVE PEACE" CAN ONLY BE WON BY FIGHTING FOR IT.

"Let us have peace" can only be won by fighting for it. It can not be won by weeping; the other side is not playing that kind of a game.

When I am willing to admit that Judas Iscariot and not Jesus Christ was the Savior of the world, then I am willing to admit that there is a chance of Austria breaking away from Germany.

When I am willing to admit that Benedict Arnold and not Washington was the father of our country, then I am willing—but not until then—to admit that there is a likelihood of Bulgaria and Turkey wishing to conclude a separate peace.

ANY PEACE NOW "MADE IN GERMANY."

Any peace now will not only be "made in Germany" but also made by Germany.

Ask the women in Belgium and France and in northern Italy if they wish that kind of a peace.

Ask the parents of the boys of Belgium and France whose hands have been cut off by the enemy if they want that kind of a peace.

Ask the boys in the trenches, who have seen their comrades with their throats cut after a trench raid, what they think of that kind of a peace.

Any peace now means that we would receive the same ignoble terms as Russia and Roumania.

Any peace now means the same treatment of our women as the women of France and Belgium, and northern Italy and Serbia.

THE ONLY TERMS OF PEACE.

Yes, we want peace, but we want it on the terms of a lasting and a permanent peace.

When we have pushed the enemy foot by foot out of bleeding Belgium; when we have pushed them back foot by foot out of heroic France; when we have driven them out of northern Italy; when we have driven every Hun out of brave Serbia and Montenegro; when we have pushed them back on German soil; seen them burn and destroy their own fields as they have destroyed the fertile fields of France and Belgium; when the flag of Belgium, the tricolor of France, the Union Jack of Great Britain, the flag of Italy, the flag of little Serbia, and our own glorious Red, White, and Blue float proudly in the breezes as we march toward Potsdam; when the Kaiser is willing to expiate his sins on some desolate island; when the terms of peace will be "made in Germany," but made by men favoring a permanent peace, then we will talk peace, but by the Great Jehovah no red-blooded American wants any talk of peace until that glad day comes.

"Life and Character of Theodore Roosevelt"—Address Delivered at Clarksburg, W. Va., on February 9, 1919, by the Hon. William R. Wood, of Indiana.

EXTENSION OF REMARKS
OF
HON. STUART F. REED,
OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. REED. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address of Hon. WILLIAM R. WOOD, of Indiana, delivered at Clarksburg, W. Va., on February 9, 1919.

The address is as follows:

ADDRESS BY HON. WILLIAM R. WOOD, OF INDIANA.

When the news was flashed throughout the country on the morning of January 6 that the greatest American of his time, and by far the world's greatest private citizen, was dead, every person who heard it was profoundly shocked.

While the immediate friends and relatives of ex-President Roosevelt knew that he was a sick man and had been in failing health for a long time, yet the public, so accustomed to seeing and reading in the public press almost daily some word of patriotic counsel or advice addressed to his countrymen by this wonderful genius, was not in the least prepared for this loss to the Nation.

We now know that ever since his return from his South American expedition he had been suffering from the insidious, deep-seated effects of the jungle poison that he there contracted, and no doubt it was this, with other causes, that brought about his untimely demise.

After his return from this South American trip, Col. Roosevelt was almost constantly in the care of a physician, but the public did not know this, and whenever by chance some notice was given of his ailment he sought to belittle it and to minimize it as being trifling and only temporary.

This attitude with reference to his bodily affliction was characteristic of the man; it was characteristic of his combative nature and his unwillingness to yield to the forces that opposed his desire to do things, and because of this characteristic he lived as he wished to live, always active, and he died as he wished to die, in the harness.

ROOSEVELT'S FAMILY.

The life of Theodore Roosevelt affords a paradox in the lives of American citizens.

How many families once prominent in the affairs of the Nation can you recall that continued prominent by reason of the acts or deeds of their descendants through three or more generations? They are very few, indeed. It is also lamentably true that we have had very few men—sons of rich parents—that have made an indelible impress on the affairs of our country.

To discuss the reasons for all this would be out of place. I refer to the fact only for the purpose of showing that the life of Col. Roosevelt is a wonderful exception to this rule.

The Roosevelt family was one of the first to make permanent settlement on Manhattan Island. The family on this continent was founded by Claes Martanzoon van Rosevelt as early as 1649. In the course of time the spelling of the family surname was changed by dropping the "van" and adding an extra "o."

Members of this family almost immediately became prominent in the affairs of the island, and remained so from that day to this, covering a period of 270 years.

A Roosevelt has filled almost every position of trust and honor in the Colony and in the State of New York from town alderman to State assemblyman, from Congressman to Supreme Court justice, and finally President of the United States.

Not only were Col. Roosevelt's ancestors prominent in the public affairs of the State, but they accumulated great wealth, and at the time of his death Theodore Roosevelt, sr., was rated a very rich man, but in this case the riches of the father did not prove the curse of the son.

It would have been a very easy matter for him to have lived a life of ease and luxurious idleness, had such been his choice. He could also, by reason of his family standing and connection, have been a prince in the social circle, had this been his desire, but none of these for him. He always looked upon life and its possibilities as most serious propositions, as assets that should not be wasted or frittered away in doing small things; so, from the beginning to the end, his was a life of devotion to work and accomplishment.

IMPORTANCE OF RECREATION.

However, he believed that recreation was not only essential to good health, but a healthy and active mind as well. He therefore devoted much time to recreation, but at this he worked also, and entered into it with all the zest of his being. This trait of his he very forcibly expressed on one occasion, when he said:

> Of course, what we have a right to expect of the American boy is that he was born to be a good American man. Now, the chances are strong that he won't be much of a man unless he is a good deal of a boy. He must not be a coward or a weakling, a bully, shirk, or a prig. He must work hard and play hard. He must be clean minded and clean lived and able to hold his own under all circumstances and against all enemies. It is only on these conditions that he will grow into a kind of a man of whom America can really be proud. In life, as in a football game, the principle to follow is: Hit the line hard—do not foul and do not shirk—but hit the line hard.

All the world knows that in his many-sided life he practiced what he preached.

To make of himself, however, an exemplar of this teaching a wonderful transformation had to be made, and he made it himself. As a boy he was a weakling, puny and sickly. In consequence there was born in him self-distrust and want of confidence. To be of any consequence in the world and its affairs he knew that these weaknesses must be overcome. With an indomitable will and determination he set about to overcome them, subjecting himself to severe hardship and privation in order to do it. So well did he succeed that when in his prime he was looked upon by those who came in contact with him on the hunt or in the athletic field as almost physically perfect.

With the perfection of his physical make-up came the courage and self-confidence that made him one of the most remarkable leaders of men that the world has ever produced.

In his autobiography Col. Roosevelt has told the story of his physical and mental reformation:

> When a boy I read a passage in one of Marryat's books which has always impressed me. In the passage the captain of some small British man-of-war is explaining to the hero how to acquire the quality of fearlessness. He says that at the outset almost every man is frightened when he goes into action, but that the course to follow is for the man to keep such a grip on himself that he can act just as if he was not frightened. After this is kept up long enough, it changes from pretense to reality, and the man does in very fact become fearless by sheer dint of practicing fearlessness when he does not feel it. (I am using my own language, not Marryat's.) This was the theory upon which I went. There were all kinds of things which I was afraid of first, ranging from grizzly bears to "mean" horses and gun fighters; but by acting as if I was not afraid, I gradually ceased to be afraid. Most men can have the same experience if they choose. They will first learn to bear themselves well in trials which they anticipate, and

school themselves in advance to meet them. After a while the habit will grow on them and they will behave well in sudden and unexpected emergencies which come upon them unawares.

What a splendid thing it would be if all the boys and young men in this country would emulate this example of Col. Roosevelt's!

GRADUATE OF HARVARD.

He was a graduate of Harvard University, graduating at the age of 20, and the number that he occupied in his class of 140 was 20. In some of his studies he excelled, in others he did not do well. It seems that he and arithmetic never got along well together, and it proved one of the very few obstacles encountered by him that he could not overcome.

He early developed a specialty for history—history of men and of animals and of inanimate things. His ambition was to become a naturalist. While he was yet a student he planned a trip to go to Greenland to study the fauna of that country. He also made preparation to go to India to hunt big game and to study natural history. These dreams of his student life became actual realities in after years.

LIFE ON A RANCH.

Soon after his graduation he went to the Northwest and lived for quite a period the life of a ranchman. When he arrived in that wild and woolly country he was the butt of many a joke and the subject of a great amount of ridicule by those who looked upon him as a fledgling tenderfoot fresh from an eastern society hothouse, but he was not long in convincing his new associates that he was made of sterner stuff. He asked for no favors and shirked no duty, no matter how laborious or menial. He took delight in helping to break the bucking mustang and never whimpered when he was catapulted from its back.

The western bully who thought he could overawe him by profanity and braggadocio soon found out to his sorrow that for this purpose it took more effective means. He never sought a personal encounter and he never ran away from one, and whenever occasion required it he made a good showing in the art of self-defense.

The experience that Col. Roosevelt had among the cowboys proved most valuable to him in after life. It was there that he learned how to judge men and to acquaint himself with their strength and their weakness of character. He was given an opportunity of close and intimate contact with human nature undisguised and unadorned, and the knowledge he there acquired stood him in good stead when it became his duty to act as a leader of men on the field of battle and as a dispenser of patronage as President of the United States.

If ever there was a natural-born politician, it was Theodore Roosevelt; and when I refer to him as a politician I wish to use that term in its highest and best sense—the sense of service to State and to country; to the betterment of conditions for the uplifting of man.

From the time he entered Harvard University down to his latest breath he was interested in this character of politics.

Within less than a year after his graduation he was elected a member of the New York State Legislature. So fast did he rise in the estimation of his fellow legislators, and so soon did they recognize his ability, that within less than two years he was the Republican leader in the lower house, and he succeeded in passing over bipartisan opposition a resolution forcing an investigation of the crooked machine government in the city of New York. He became chairman of the investigating committee himself, and when his report was made the abuses that he uncovered were so glaring that he compelled a recalcitrant legislature to pass wholesome laws reforming many of the abuses that had been practiced in municipal government of the city of New York for many years. He served three terms in the legislature.

He was a delegate to a national convention when he was 24, and was one of the leaders of the State of New York in the fight to prevent the nomination of James G. Blaine. Blaine was nominated in spite of this opposition. Roosevelt supported him at the election, refusing to join with George William Curtis, Carl Schurz, and their followers, who left the Republican Party for the purpose of defeating Blaine.

After this experience Roosevelt made up his mind to quit politics and to return to his first love, literature, and devote his life to natural research and to writing. Not long, however, was he permitted to remain with this determination. In 1886 he was nominated for mayor of New York while he was absent on his ranch. He returned, accepted the nomination in a rousing speech, setting forth in strong, terse language what his policies would be and what might be expected of him if he was elected. His platform of principles did not appeal to those who had been in the habit of conducting affairs of New York City for their own benefit, and Roosevelt was defeated. He received, however, more than 60,000 votes in a three-cornered fight.

When Gen. Harrison was elected President of the United States it was Roosevelt's desire to become Assistant Secretary of State, feeling that he was fitted for this position by reason of the study that he had been giving to our foreign relations during and since his college days. Blaine had been selected as Secretary of State, and it was still fresh in his mind how Roosevelt had opposed his nomination for the Presidency but a short time before. He knew that Roosevelt had a mind of his own and was fearful that he would not be content to stay well within the limitations of what is expected of an Assistant Secretary. Blaine opposed his appointment, and Harrison yielded to his opposition.

Roosevelt was, however appointed civil-service commissioner by this administration, and to him more than any other single individual may be attributed the success of this branch of our Government. I was told a few days ago by Secretary Doyle, who was secretary of the Civil Service Commission then and is now, that at the time Roosevelt became one of its commissioners they moved all the effects of the office at one load in a handcart. There were but a few thousand on the civil-service rolls at the time; but at the expiration of Roosevelt's term there were more than 40,000 on the list, and while the Civil Service Commission at its creation met with universal scorn of the so-called practical politicians, there are few now who have the temerity to contend that its service has not been a valuable acquisition in our machinery of Government.

From civil-service commissioner Col. Roosevelt was called to act as police commissioner of the great city of New York. This afforded him an opportunity that he had long been looking for. He was given a chance to enforce the laws that he had written upon the statute books while a member of the legislature.

It is generally admitted that he cleaned up the police department of this great metropolis as it never had been cleaned up before and as it has never been cleaned up since.

His next office was that of Assistant Secretary of the Navy. Here he was given opportunity to show his initiative and, to a certain degree, his breadth of practical vision. He had long been watching the attitude of Spain, and he looked with abhorrence upon the practice of that country, with reference to her dependent colonies. His sympathies naturally went out to Cuba, who had been suffering under the tyrannical yoke of the mother country for more than three centuries. He believed that this must come to an end and that the day was not far distant when the United States would have to be the instrument used to bring it to an end.

Our Navy was without a commander of consequence and our gunners were unpracticed in the art of shooting. In order to prepare for the fateful day so rapidly approaching, Roosevelt set out immediately to select a commander that he felt equal to the coming task. He also began without delay a system of target practice that would make efficient the gunners in our Navy when the time arrived for action.

The time came, and with it Dewey, the selection of Roosevelt, as the hero of Manila Bay, and the wiping out of the Spanish fleet through the efficiency of our sailor marksmen without the loss of a single man or any of our ships.

This battle was then, and will long remain, the marvel in the naval history of the world.

But this is not all the service that was rendered by Col. Roosevelt during the Spanish-American War. He was a man of action, and he soon grew restless sitting in a swivel chair in a bombproof position as Assistant Secretary of the Navy.

The Rough Rider Regiment was formed by him. He was the choice of the men for colonel, but he felt that he was not competent to fill the position, and, at his suggestion, his lifelong friend, Leonard Wood, in whom he had the greatest confidence, was selected in his stead. Most willingly did Roosevelt become the lieutenant colonel of this regiment and succeeded to the colonelcy in a very short time by Wood's promotion to the staff of the commanding general.

When all the other incidents of that brief war are forgotten, the memorable charge of Roosevelt over Kettle Hill and on to San Juan will still remain as an inspiration to all those who admire intrepidity and daring.

The popularity gained by this campaign made Roosevelt governor of New York. He entered upon the duties of this position with the full determination to bring about reforms throughout the State that he knew to be needed, and which had long been delayed through the inaction of his predecessors. It was his desire to succeed himself for the accomplishment of this purpose. On the other hand, it was the desire of those who wished to thwart his purpose to get him out of the way, and they determined the best way to do this was by seemingly pro-

moting him to the Vice Presidency. Roosevelt fought this attempt with all his might and beseeched his friends that they not permit him to be thus sacrificed, but so strong was the demand from the delegates of other States, who were sincere in their purpose, that he finally acquiesced, and he was nominated for Vice President at the Philadelphia convention in 1900 and subsequently elected.

It has often occurred to me that a peculiar fate attended Roosevelt's political career and ofttimes denied him desired place in order that he might be permitted to get higher positions, and ofttimes apparently sacrificing him to the desire of his political enemies only to give him opportunity for still higher honors.

By way of illustration, if he had been elected mayor of New York in 1886, in all probability he would have been a candidate for renomination and reelection, and, whether successful or defeated, he would not have been Civil Service Commissioner in 1889; if he had been appointed Assistant Secretary of State in 1889, as he wanted to be, instead of Civil Service Commissioner, he would have been so obscure and opportunity offered him of such little moment to do things that his service would have attracted but little public attention.

As Civil Service Commissioner, however, he was given a great opportunity to show his initiative and to do things on a large scale, and he did them.

When he was Assistant Secretary of the Navy, it was his desire to go into the Spanish-American War as a member on the staff of Gen. Fitzhugh Lee, but for some reason or other this was denied him. Had he gotten this position he never would have formed the Rough Riders, and in consequence would not have been given the opportunity to win the laurels that he did as the leader of this famous fighting force. Again, if he had had his way and had been permitted to run for a second term as governor of New York, in my opinion, he never would have been President of the United States.

In his election to the Vice Presidency this same peculiar hand of destiny seemed to be with him, and by the tragic ending of the life of the gentle McKinley Col. Roosevelt was elevated to the Chief Magistry of our country, serving out the remainder of McKinley's term, a period of more than three years, and was then reelected by the largest popular majority, up to that time, ever accorded to a presidential candidate.

President Roosevelt's administration was unique in many respects; its accomplishments were vast and important. The reforms in Government and governmental agencies were greater in number than during the administration of any of his predecessors or successors. Some of the most wholesome laws for the benefit of all the people were enacted during this period. I will not take the time to recount them.

There are three or four master strokes, however, that stand out boldly as accomplishments of this administration to which I wish briefly to refer.

It had been the dream of the ages that an interoceanic waterway would be built connecting the waters of the Atlantic and Pacific. England had tried to project a scheme for this purpose and failed. France attempted it and miserably failed. It remained for American genius to accomplish it, and was made possible in our generation, at least, by the quick and decisive act of President Roosevelt in recognizing the Republic of Panama.

I know that much criticism was heaped upon him by those who were ever ready to find fault with his administration, and even by some of his conservative friends. Many thought that there was a conspiracy entered into, to which our Government contributed, to bring about the revolution in Panama, but there was no warrant of truth for this belief. Roosevelt did not aid or encourage it. He had done everything in his power to bring about an amicable settlement between Colombia and Panama. Colombia had been offered the price agreed upon for a strip of land on which to construct the Panama Canal, but those who were controlling the affairs of this little country thought that by intrigue they could get a larger sum. President Roosevelt would not submit to blackmail himself and he would not submit to his country being blackmailed while he was presiding over her destinies. The people in Panama, realizing that their fondest hopes were again to be blasted if the Government of Colombia persisted in the course they were pursuing, knowing full well that President Roosevelt would not yield to their unreasonable demands, felt it the time to strike, and strike they did.

The revolution was a success. President Roosevelt simply took advantage of the opportunity as the instrument that came voluntarily to his hands to bring about the world desired result and the building of the Panama Canal was thus made possible, and the dream of the centuries became an accomplished fact, and we are all thankful that the man who made it possible for this thing to be lived to see it completed.

In 1902 occurred the great anthracite coal strike that lasted for months and months, and it appeared that there was but little chance of the contending forces settling their differences. Winter was fast approaching and Roosevelt knew that unless something was done to settle this controversy there would be untold suffering throughout the country. He took upon himself the task of being the peacemaker. He summoned the contending leaders to Washington. He was patient in hearing both sides of the case, and without attempting to decide who was right or who was wrong in the contention he presented the cause of the people whose representative he was, using all the power of his vigorous personality in impressing on the minds of these opposing forces what the effect on the country would be if they persisted in the course that they were pursuing.

The coal strike was declared off, and a way was soon found after this to settle the differences existing between the miners and the operators.

For President Roosevelt's prompt action in this case he received the grateful thanks of all the people of the United States.

Soon after his inauguration in 1905 he had the opportunity to perform what many of our statesmen believe to be the most important act of his career.

The peace commissioners of the Russo-Japanese War were sitting at Portsmouth endeavoring to agree upon a treaty of peace between these two nations. The differences between them were so great and the disposition of each power not to recede from its positions so pronounced that it seemed impossible for an agreement ever to be reached.

The welfare of the world, especially in trade relations, depended much upon the completion of this treaty. The convention was on the point of adjourning and its delegates returning to their homes when President Roosevelt volunteered his good offices as a mediator to the convention. The delegates agreed to hear his proposals, and here again the striking personality of the man and the absolute fairness of his suggestions proved to be the happy medium that ended the struggle between these contending forces, and the peace treaty was signed.

So great was this service considered to be that he was awarded the Nobel prize, which is given annually to some person who has done the most during the year to promote the peace of the world. This prize consisted of $40,000; but President Roosevelt personally never used a cent of it. He placed it in trust under a commission authorized by act of Congress, where it remained inactive until the present session of Congress, when a resolution was introduced showing that nothing had been done with it and it was serving no good purpose and authorizing that the same be returned to Col. Roosevelt that he might make such disposition of it as he saw fit. This bill passed the House and Senate without division. Roosevelt took the money and within less than a week he gave it away in various sums to the different charitable organizations of the country engaged in war work. He did this because he felt that this money was given to him on account of his service rendered for the peace of the world, and that it should be spent in this, the most trying hour of the world's history, for the same purpose.

There is another incident of President Roosevelt's administration which was fraught with more importance to the world and the world's peace at the time than our people generally appreciated.

You will remember when the United States fleet went around the world there was much speculation as to why this was being done. I dare say that the vast majority never did see any good reason for this expedition. Most of them looked upon it as purely spectacular and without any real practical purpose. The fact, however, is that the peace of our country was then in danger. Japan was in a great ferment because of the action of the authorities in California in excluding Japanese children from free participation in the public schools and also legislation concerning the right of Japanese to own the fee in real estate. President Roosevelt heard the rumbling of war, and it was for the purpose of averting this that he made this remarkable demonstration with our armed fleet.

At the same time our fleet was encircling the globe he sent a private representative to England, to France, to Germany, and to Russia, to see what the attitudes of those countries would be in the event of war between the United States and Japan. This fact is now an open secret in the Department of State, and the result of the mission is likewise an open secret. England gave our representative no satisfaction whatever as to what her attitude would be. Germany promised to remain neutral. France answered the query by saying, "We have no

treaty with Japan, but we have one with the United States and we will respect that treaty." That was a very sufficient answer. Russia, still smarting under her defeat at the hands of the Japanese, readily promised us her assistance in the event of war. But war with Japan, for the time being at least, was avoided, and in all probability its avoidance was due to the statesmanlike vision of Theodore Roosevelt and his prompt action in letting the belligerent party of Japan know that we were prepared and preparing for the fray.

The greatest and most crucial test of Col. Roosevelt's power among men and the hold that he had on the political party responsible for all of his political success came after he had left the White House and had retired, as he believed, to private life. It came with the presidential campaign of 1912. With the stirring events of that campaign we are all still familiar. It does not matter, however, whether we agree or disagree with his action in becoming a candidate before the Republican convention of that year; it does not matter whether we agree or disagree with his action in becoming an independent candidate for President after failing to get the Republican nomination; it does not matter whether we agree or disagree with the cause that prompted him in becoming an independent candidate, but, upon this fact, we can all agree that the campaign that ensued, with all its factional bitterness, with all its criminations and recriminations, was well calculated to destroy not only the Republican Party for the time being, and possibly forever, but also to completely destroy the political influence and prestige of the man who was primarily responsible for it.

I think that most people will also agree that there was no man living except Roosevelt who could have done what he then did and survived political oblivion. But, instead of this, he lived to see all the bitterness then engendered disappear; he lived to see the political party that he rent asunder reunited, purged of many of the things that he had fought bitterly. He lived to see the personal animosity which he had created for the most part wiped out and the reestablishment of a cordial friendship between the different factions and between himself and the man who then stood as spokesman for the things that he (Roosevelt) wished to destroy. He lived long enough to see himself rehabilitated as the generally accepted and unchallenged leader of that same political party. This could have been no mere accident and could not have been brought about by any stroke of chance. It was done by reason of the wonderful and abiding faith and belief that the American people, regardless of political affiliation, had in his honesty, in his sincerity, and in his integrity of purpose, and in his intense patriotism and love for his country.

President Roosevelt was the most democratic of all of our Presidents except Lincoln. The pomp of power and the glamour of place had no attractions for him. He brought the same simplicity to the White House that had characterized his private life. He recognized that he was temporarily called as the chief servant of the American people. He felt it his duty to be responsive to their wish, and in order to be responsive he realized that he must keep in close touch with the throbbing heart of the public. To do this he invited the high and the low, without distinction, to sit and give him counsel and advice, and his door was closed to no one who came to see him. A mistaken idea has been entertained by many with reference to President Roosevelt in this respect. Many have thought that it was his habit to ride roughshod over everyone who sought to oppose him or to oppose any of his proposals. On the contrary, he was a wonderfully patient listener and readily yielded his opinion when convinced that he was mistaken, and was free to acknowledge his mistake when so convinced.

"Uncle Joe" CANNON, who has served longer in the House than any man ever served and who has had direct contact with more Presidents than any man ever had, is a splendid witness to the truth of this assertion. Mr. CANNON was Speaker during the time Roosevelt was President, and in giving an estimate of the character and public service of Roosevelt Mr. CANNON stated a few days ago that in all his experience he never knew a President as approachable as Roosevelt was or who sought with open mind the advice of those whose advice he felt worth while as freely as Roosevelt sought it. That there was scarcely a week during all the time that Congress was in session but what he was consulted by the President, and that on many an occasion when the President was advised as to the true situation of pending legislation he immediately changed his mind and attitude with reference to the same.

We have had but few Presidents of which this may be truthfully said.

Roosevelt while President would often call temporary sojourners, whom he learned were in the city, to the White House in order that he might be informed first hand as to the opinion of the people in different sections of the country upon public measures.

I heard George Ade, the Indiana humorist, relate that on one occasion when he was in Washington on private business of his own he was called to the White House, and he could not understand what it was for. He did not even know that the President knew he was in the city; but it did not take him long to find out the purpose of the President after coming into his presence. There was some great public question pending, and the President wanted to know what the people of Indiana were thinking and saying about this particular question. By means of this character he was always seeking to get as close and remain as close to the people as he possibly could.

To my mind, one of the greatest evidences of President Roosevelt's character was his simplicity. This with him was inherent. It is a virtue hard to acquire and more difficult to assume. He practiced it naturally in private as well as in official life. He disliked veneers; he disliked pomp and abhorred ceremony. While he had plenty of money to supply himself with all the luxuries of life, he did not waste it in this way. He would rather spend it for books and things that were essential. His home was a home in fact, and was made such by the simplicity of its appointments and its furnishings, and everyone who crossed its threshold felt at home because of the homelike atmosphere therein. He loved the companionship of men and loved to commingle with them, touching shoulder to shoulder, and it did not matter to him whether their positions were high or low, just as long as he was discharging his duty as a man. He had as much respect for a section hand as he had for the president of the railroad, and gave him his proportionate consideration.

I witnessed a beautiful demonstration of this characteristic myself. During the campaign of 1900 Roosevelt was making a speaking tour throughout our country. He was on his way from Chicago to La Fayette, Ind., my home. A committee of our citizens accompanied him on this trip. We stopped at almost every station, and the whole surrounding country, it seemed, turned out to hear him. We did not remain at any one place but a few minutes, and opportunity was given him to make only a few remarks. Finally we reached the yard of the Monon Railroad, on the outskirts of the city of La Fayette. It was just 12 o'clock, and the employees in the railroad shops all came running down to where our train had stopped for the purpose of changing engines. We were there for 5 or 10 minutes; and, instead of making a speech, Roosevelt got down on the ground where this great crowd of workingmen were surging and commenced to shake hands with them right and left. The hands of most of these laboring men were covered with grime and grease, and they shrunk from giving their hand. I will never forget what he said to them:

Boys, never mind your hands if your hearts are all right. I would be ashamed to take your votes if I were ashamed to take your hands.

And he did not say this for political effect. It was his honest expression of feeling, direct from his heart, of sympathy for his fellow men.

There were many sides to Roosevelt's character, and his accomplishments are so diversified and in so many fields of endeavor that it is impossible in the short time that I have even to mention many of them.

I heard Speaker CLARK, of the House of Representatives, state, when I first entered Congress some years ago, and repeat it again when he heard of Roosevelt's death the other day, that he knew more about more subjects than any man living or dead.

Now that he is gone and only the things that he did are to live, we will begin to realize more and more that this estimate of Speaker CLARK's is correct.

We all know that he was a success at everything he undertook, and that everything he undertook was benefited by reason of his efforts. His fame would have been secure had he never entered politics. It would have been pronounced had he confined himself to his first inclination—literature.

But few people realize the extent of his writings and the variety of subjects concerning which he has written, and those who do realize the extent of this work are amazed and wonder where he found the time, amid all his other activities, to do the subjects he has treated upon the justice with which he treated them. He was the author of books enough to make a very respectable library in themselves.

He commenced his literary pursuits before he was out of college, and gave to the country his first book soon after his graduation, "The Naval War of 1812." This work took rank immediately as an authority and has remained so ever since. His treatment of this subject was so eminently fair to both the nations immediately concerned that England asked him to write a chapter on this war to be inserted in the "Royal Navy."

He did this, and it has been accepted by the British students as being most accurate.

He was also the author of the following interesting and instructive volumes: "Hunting Trips of a Ranch Man," Biographies of "Thomas Hart Benton," "Gouveneur Morris," and "Oliver Cromwell," "Ranch Life," "On the Hunting Trail," "The Winning of the West," which is a wonderful history of the settlement of the Northwest Territory and all of our country west of the Mississippi River, "The Wilderness Hunter," "New York," "The Rough Riders," "American Ideals," and "The Strenuous Life." In addition to these he has written many essays on various subjects, political and otherwise, and has contributed to almost every first-class periodical and many of the first-class newspapers of the United States.

Some discussion has been had and no doubt will be had in the future with reference to the religious affiliation and belief of Col. Roosevelt, but there is no trouble in settling both of these questions. He joined the Dutch Reformed Church, to which his father and grandfather had belonged, when he was 16 years of age, and remained continuously a member of this church until he died. He was too broad and too liberal in mind to be circumvented by any creed or narrow dogma. Like St. Paul, he was "persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

Best is his faith declared in his own words with which he said:

The true Christian is the true citizen, lofty of purpose, resolute in endeavor, ready for a hero's deeds, but never looking down on his task because it is cast in the day of small things; scornful of baseness; awake to his own duties, as well as to his rights; following the higher law with reverence: and in this world doing all that in him lies, so that when death comes he may feel that mankind is in some degree better because he lived.

With this as the test, who can say that Theodore Roosevelt was not a Christian?

No man ever lived who was more completely obsessed with love of country than Col. Roosevelt. With him this was a living burning passion, actuating all that he did or said. Never was there a time, from the beginning of his public career to the end, when he would not have willingly effaced himself for what he believed to be for his country's good. He was ever willing to sacrifice reputation, health, yes, his life itself, for Americanism and anything that stood for its preservation or betterment.

It was this, and this alone, that caused him to enter, with all of his soul, the forum during the last three years of his life to arouse our people to a sense of their danger in the great world conflict which we all hope is now happily ended. Among the toll exacted by this war may be counted the life of Theodore Roosevelt, for had it not been for the superhuman effort he made for its final and victorious determination, there is no doubt in the world but what he would have been spared to us, and for us, for many years. He literally worked day and night, ever unmindful of his physical condition and in defiance of his medical advisers. He burned the candle at both ends until that fateful moment when he bade the servant to "put out the light, please," and this proved to be the signal for putting out the light of America's greatest defender.

When the storm cloud broke over Europe he was the first man in our country who had the vision to see that sparks were flying on our shores, and was the first to warn our people that we would, sooner or later, be included in the general conflagration.

In October, 1915, he said:

This war will be a stalemate at best for the allies unless America gets into it. I don't say that Germany can win the war, but I do say that the allies can not. They may, and probably will, check the Germans and hold them. I do not expect to see more. We will have to get into it or engage later on in what will be a far more serious contest for us. It is only a question whether we will go in now, when we can have allies, or try it alone in the near future.

Later in the same year he further said:

It may be that this country can not be made into a nation until it is shot over. That is the menace we invite by being indifferent now. We've got to face this situation as one people, with one determination, with one national viewpoint, and not with 48 viewpoints.

These were the convictions that prompted him in his endeavor to arouse the people of his country and the Congress of the United States of the necessity of preparing for the inevitable. Had we accepted and acted upon his good counsel then many American soldiers boys whose lifeblood was spilled on the soil of France and Flanders would have been saved to the Nation, and much of the sorrow that is spread broadcast throughout the land would have been obviated.

When at last our Government declared that a state of war existed between our country and the Imperial German Government Col. Roosevelt was among the first to unsheath his sword and volunteer his services on behalf of his country. He begged the War Department to permit him to raise a body of troops, and said:

In such event I and my four sons will go. I do not want to be put in the position of saying to my fellow countrymen, "Go to war." I want to be in the position of saying "Come to the war; I am going with you."

Most characteristic of this brave man.

This privilege was denied him, and no doubt it was the greatest disappointment ever suffered by him in his eventful life. But he did not permit this disappointment to turn him aside from the work at hand. He was not permitted to go himself, but he sent four of his sons and a son-in-law. Not into bomb-proof positions did they go, but into the very thick of the fray. Two of them received wounds which they will ever carry as badges of honor for the heroic parts they performed. Another gave the last full measure for the cause that he loved and that his father loved so well. His name is enshrined on two continents, in the hearts of all who love heroism.

Not until the day the armistice was signed did Col. Roosevelt cease to give all that was in him for the better prosecution of the war that it might be the more speedily and victoriously ended.

It has been suggested that it was a most fitting time for him to die; that he died in the fullness of honor and in deeds accomplished, but with this those who know what he had yet to perform, and felt it his duty to perform, can not agree.

Peace has its problems no less important than the problems of war. The United States has confronting her to-day the greatest problems in all her history, and the future weal or woe of this fair land depends upon the manner in which they are solved.

The goodly counsel and far-seeing vision of a Roosevelt is needed for their solution.

A short time before his death he said:

I am interested in awakening my fellow countrymen to the need of facing unpleasant facts. I am interested in the triumph of the great principles for which with all my heart and soul I have striven and shall continue to strive.

We need some one now to iterate and reiterate this sentiment. We need some one to preach in every town, village, and hamlet "Americanism." We need somebody to preach the value of liberty when protected by law. We need some one to preach the lesson George Washington left us in his Farewell Address. We need somebody to call our attention to the danger of foreign entanglements. We need somebody to check the socialistic tendency of the hour. We need somebody to stamp out the spirit of bolshevism, that is all too rapidly gaining a foothold in this country. Who have we among us that could do these things as Col. Roosevelt could do them? Who have we among us that could get the ear of the people like he could do it? Who is there in all the land to whom they would listen as they would listen to him in this crucial hour?

He did a wonderful work, and did it well, but his work was not finished. The work of such a man never is finished. It will be a long time before we find some one to take his place and complete it.

But let us hope that the Government for which he gave so much and the country that he loved so dearly will be protected against these insidious and evil influences that he would have plucked like thorns from the body politic, and that the old flag that he loved so well may continue unsullied and untarnished from within as it has thus far remained unsullied and untarnished from without. To him the flag meant all that Riley has had it say that it means:

By the driven snow white and the living blood red
Of my bars, and their heaven of stars overhead—
By the symbol conjoined of them all, skyward cast,
As I float from the steeple or flap at the mast,
Or droop o'er the sod where the long grasses nod—
My name is as old as the glory of God.

I can not refrain from quoting the thought that occurred to Henry L. Stoddard, who was one of the closest and most confidential friends of Col. Roosevelt, and which he expresses as follows:

As I watched the flag-draped coffin borne slowly down the aisle of the little church the words came to me irresistibly, "Dear old flag; you have lost something to-day. Your stars are all there and your stripes are all there, but a great spirit of patriotism has gone out and a brave defender has left you. You enfold him now, do it with the tenderness, the love he had for you."

In every mountain range there are a few lofty peaks that tower high above all other surrounding peaks. Since the beginning of the human race every age has produced a few characters with such transcendent genius in literature, statesmanship, art, or invention that their names will never be forgotten, and their influence will be as lasting as time.

In the history of this age, to be written in some after-day, when all the animosity of the time is forgotten and only the ideal is recorded, the fame of Theodore Roosevelt will appear like one of the lofty mountain peaks to which I have referred, and his name will be written among the first of the few immortals that will survive with the age in which he lived and wrought in so many ways for his fellow men. Monuments of stone and of bronze will be erected to perpetuate his memory, but after the last of these have crumbled into dust and rusted into decay the virtue of his deeds and the goodly influence of his life will remain imperishable as long as men love liberty and as long as the world remains devoted to the principles of patriotism.

Cease Wasting the People's Money Paying Unmeritorious Private Claims, Rapidly Depleting Treasury.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. BLANTON. Mr. Speaker, I secured this indulgence of my colleagues for the purpose of vehemently protesting against the existing loose method of wasting the people's money in indiscriminately paying unmeritorious private claims out of a Treasury fast nearing depletion.

When placed upon the Committee on Claims at the beginning of this Congress I found the following situation existing: The committee was subdivided into six subcommittees of three members each, to which subdivisions a proportional one-sixth of the hundreds of private claims against this Government was submitted. Any member at will could submit to the full committee a favorable report on any bill referred to his subcommittee, and it seemed to be expected that the committee would adopt such member's report without question.

With over 20 years' active experience as a lawyer, 8 years being spent as a trial judge on the district bench, I learned that the allegations in a claimant's petition rarely ever stated the real facts, and that in many instances the testimony of the claimant's witnesses was absolutely destroyed by cross-examination or the rebuttal evidence offered by the party sued. In many cases I had heard one bunch of skillful physicians assert that the claimant was seriously injured permanently, and that such injuries were the proximate result of some tort or force occasioned by the negligence of the defendant, and then have heard another bunch of equally skillful doctor men testify, either that the claimant was not hurt at all but was merely simulating injury, or that his condition was not occasioned by the alleged act of the defendant but was the result of some disease from which the claimant had for years prior to such act been suffering. And then after collecting his judgment given by an overly sympathetic jury, I have seen the crutches thrown away and the enriched claimant resume his former activities and pleasures.

With such experience, I was astonished to learn that with the Committee on Claims the ex parte statements of claimants and their witnesses would be accepted as the absolute truth, without any investigation whatever of the real facts, with no cross-examination of such evidence, and without any attempt whatever to have the Government's side of the case presented. I therefore gave notice right in the beginning that I expected to make a personal investigation of each and every claim upon which there was sought to be made a favorable report before I gave my vote on the case. My colleagues contended that such action would be impossible, as I would never be able to give that much time to the work of this committee. Nevertheless I have carefully investigated each and every claim reported out of the committee, and in reaching a conclusion thereon, I have absolutely ignored friendship for the colleague who introduced same, the personnel and standing of the claimants, and every other matter except the one inquiry, Is the claim a just one, and should the Government, morally and in good conscience, pay it?

I have succeeded in convincing the committee of the injustice of certain claims concerning which prior to my investigation a favorable report had been suggested. Illustrating such claims, I call attention to my adverse report adopted by the committee on the following claim, to wit:

[House Report No. 1014, Sixty-fifth Congress, third session.]

P. J. CARLIN CONSTRUCTION CO.

Mr. BLANTON, from the Committee on Claims, submitted the following adverse report:

In the Sixty-fourth Congress bill H. R. 4537 was introduced to pay $16,712.44 to the P. J. Carlin Construction Co. This claim is now reduced to $12,612.44, but we respectfully submit that not $1 is justly due, and the entire claim should be disallowed.

On September 22, 1910, the Supervising Architect advertised for bids on drawings and specifications for the construction complete (except elevators) of the building to be occupied as a United States post office and courthouse at San Juan. That special excavation, with substantial pilings to be sunk, was deemed vitally necessary for a stable foundation is clearly shown in the following portions of the specifications, to wit:

"All work is to be executed in strict accordance with specifications * * *. The pilings are to be of local wood and have concrete cap. The piles shall be perfectly straight and free from defects and all bark shall be removed. The upper end shall have wrought-iron ring at least ¼ by 2½ inches, and all piles must be provided with approved metal points. They shall be driven in the same manner as is required for concrete pile, using the following formula for ascertaining the safe carrying capacity: In which P equals a safe carrying capacity of 15 tons; w, the weight of the hammer in tons (which shall be between 2,000 and 3,500 pounds); h, the height of the fall of the hammer in feet; and S, the average penetration of the pile under the last five blows.

"Four permanent piles shall be tested to 25 tons during the progress of the work, the locations for such tests to be selected by the superintendent, who shall report settlements for each five tons loading. The settlements for the 15-ton and the 25-ton loads shall also be reported after having been allowed to stand for 24 hours.

"All excavations shall be kept practically free from water during the placing of the concrete and until after the concrete is set.

"The concrete footings or pile caps shall be composed of one volume of Portland cement, three of sand, and five of 2-inch stone or gravel aggregate, and it shall be reinforced by two thicknesses of metal fabric, etc."

On November 21, 1910, the claimant submitted a bid proposing to construct the work complete according to specifications for $374,000, which was accepted, and on December 12, 1910, the Government executed a written contract with claimant agreeing to pay the said $374,000 for the said construction complete. The contract provided that the building was to be completed by November 1, 1912, and—

"It is expressly covenanted and agreed by and between the parties hereto that time is and shall be considered as of the essence of the contract, and in the event that the contractor shall fail in the due performance of the entire work to be performed under this contract by and at the time herein mentioned, the said contractor shall pay unto the Government as and for liquidated damages the sum of $50 for each and every day the said contractor shall be in default,"

and the Government reserved the right to deduct said damages from the consideration price.

The Government did not propose any change in specifications, but it was the claimant which sought to substitute its judgment in the place of the contract specifications, and contended that the soil without piling would furnish a stable foundation, and proposed to eliminate the piling and to deduct $5,478 from the contract consideration, stating:

"It is respectfully pointed out that a saving of time in the driving of these piles could be effected from three to five months,"

and further stating:

"We believe, therefore, that it would be to the best interests of this work, both as to time and to cost, if piling can be eliminated."

Following this proposal, an incompetent representative of the Government, Mr. Stierle, wired claimant as follows:

"Your proposal May 13 accepted, to deduct $5,478 your contract San Juan post office for omission piling. Should changes in foundations be necessary hereafter they will be settled upon contract unit basis."

Upon such telegram claimant constructed the foundation upon native soil, without driving down the specified pilings, and after building several walls the structure began to sink and crack, and it was then ascertained that, after all, pilings would have to be sunk in order to get a stable foundation.

Contractor then proposed to remedy the evil by then doing what it should have done at first, make the foundation stable, but it demanded $36,000 extra pay. It will be remembered that for eliminating the pilings demanded by the contract the contractor deducted only $5,478 from its pay, but when forced to put the pilings in, instead of doing it for the $5,478 it had deducted it demanded $36,000 for doing its duty.

In its extremity the Government agreed to pay this $36,000 extra, and on May 14, 1912, the contractor, with his sureties, executed a written contract with the Government to satisfactorily construct said foundation and complete said building according to specifications for not to exceed $36,000 additional. In this the Government was more than liberal and considerate.

The report of Secretary McAdoo, of date February 18, 1916, shows:

"The contracting company was found to be responsible for seven months' delay, after making due allowance of time for the extra foundation work and for weather conditions."

The Government not only did not charge the contractor up with this 210 days' delay at the agreed liquidated damage of $50 per day, which would have amounted to $10,500, but it waived it all and paid to the contractor the full $374,000, and also paid it the full $36,000 additional, and then besides paid to it an additional $7,354.51 for extra good measure, as is shown by the attached letter from Assistant Secretary of the Treasury Hon. James H. Moyle, of date June 11, 1918, stating that the total amount paid by the Government to the P. J. Carlin Construction Co. on this contract is $417,354.51.

We must not go behind these contracts and dig deeper down into the Treasury of the United States by taking $12,612.44 more of the people's money and put it into the pockets of this contractor, which had to make two contracts before it would perform its agreement. Are we to say to the world that a Government contract means nothing—the contractor will be paid the $374,000 contracted for, and will also be paid $36,000 additional compensation demanded, and also will be paid $7,354.51 extra for good measure, and then Congress is asked to step in and set all contracts aside and eight years after the date of the original con-

tract make an entirely new contract for the claimant and the Government by paying the contractor a special reward of $12,612.44 extra for his bad judgment, which resulted in the Government getting an inferior building with a patched-up foundation?

We respectfully submit that it would be an outrage to allow one cent on this claim, and it is respectfully recommended that it be disallowed.

THOMAS L. BLANTON.

At our first meeting this year the gentleman from Kansas [Mr. LITTLE], though ready to make a favorable report on his bill H. R. 12018, kindly agreed to giving me time to investigate it. As this bill involved $66,736,387.60, I spent much time in carefully investigating the claim, and at our meeting on January 24, indicated my readiness to report on same, but the author of the bill being absent action was postponed. At our meeting on January 31 I reported verbally, giving my conclusions reached on the bill, but no final action was taken by the committee, as the author again was absent. After the committee met on February 7 all members present unanimously adopted my written adverse report as the report of the committee, as follows:

CLAIM OF THE ESTATE OF JOHN SEVIER AGAINST THE UNITED STATES.

Mr. BLANTON, from the Committee on Claims, submitted the following adverse report:

The Committee on Claims, to whom was referred the bill (H. R. 12018) for the relief of the estate of John Sevier, having considered the same report thereon with a recommendation that it do not pass.

This bill (H. R. 12018), if allowed, would pay to Emmetta Humphreys, as administratrix of the estates of John Sevier, sr., and John Sevier, jr., the enormous sum of $66,736,387.60, being principal sums aggregating $8,447,644, together with 6 per cent interest thereon for over 115 years.

There are really three claims embraced in the above amount, the first and principal one of which is for the value of 174,474 acres of land originally within the boundaries of the State of North Carolina, surveyed and granted to John Sevier, sr., in the years 1794 and 1795, under an act of the General Assembly of the State of North Carolina in 1783.

In 1785 the United States entered into the treaty of Hopewell with the Cherokee Indians by which certain described lands then in North Carolina were set apart to them for hunting grounds.

In February, 1790, the State of North Carolina ceded her western territory, embracing the lands allotted to the Cherokee Indians, to the United States with certain conditions expressed.

In 1791 the United States entered into the treaty of Holston, by which the boundary between the citizens of the United States and the Cherokee Indians was established.

The said surveys and grants of land to John Sevier were included within the boundaries of the said territory theretofore set apart to the Cherokee Indians, and were not made until 1794 and 1795, subsequent to the said treaties of Hopewell and Holston, and subsequent to the cession to the United States by North Carolina of these lands out of which the State of Tennessee was afterwards created.

By the act of February 18, 1841, the State of Tennessee was authorized to settle claims against said lands, but required that all land warrants should be satisfied, either by location of the land within one year or by their presentation for payment at a price of not less than 12½ cents per acre within two years, or the holders of such warrants should be forever barred of all further claim or right.

When this case was submitted to the Court of Claims for a determination of the facts, in the opinion of the court filed February 28, 1910, it found:

"There is no evidence to show whether the claimant's decedents, or their heirs or legal representatives, complied with the terms of the above act; presumably they did not."

And, further, the court found:

"Nor is there any evidence to show that John Sevier, sr., and John Sevier, jr., did not receive the benefit of said lands or the value thereof, as provided by the said act of February 18, 1841, nor does it appear that the United States ever received any benefit therefrom."

Claim No. 2 involved 50,000 acres of land deeded to John Sevier in 1797 by one Cox, attempting to act for the "Tennessee Company," out of lands granted by the State of Georgia to the "Tennessee Company," reciting a consideration paid by Sevier of $5,000, which, with other lands, afterwards became the "Mississippi Territory," out of which the States of Alabama and Mississippi were created.

On April 24, 1802, the State of Georgia ceded to the United States the said "Mississippi Territory," Georgia to be paid $1,250,000 out of the first sales, and, if a balance remained, reserving 5,000,000 acres to satisfy and compensate claims.

On March 3, 1803, Congress passed an act requiring all such land claimants to perform certain acts before March 1, 1804, on penalty of becoming forever barred for nonperformance, and further providing that all claims must be exhibited to the Secretary of State and recorded by January 1, 1804.

In passing upon this claim the Court of Claims, on February 28, 1910, held:

"Whether the claimant's decedent ever complied with the provisions of said act does not appear."

On March 31, 1914, Congress passed an act providing for commissioners to pass upon all claims based upon said "Tennessee Co." lands, to whom John Sevier submitted his deeds from Cox and executed releases to the United States, and said commissioners ruled against said claims, holding that Sevier had failed to show proof of any authority in said Cox to act for said company, and on February 28, 1910, the Court of Claims found:

"That it did not appear that the United States had received any benefit whatever from said land."

The third claim involved 5,000 acres of land granted August 14, 1786, to John Sevier by the General Assembly of the State of Georgia for acting as a commissioner appointed by said assembly, which land was afterwards located and patented to the heirs of John Sevier in 20 patents on June 12, 1828. Said heirs failed to take possession of same, but permitted individuals to hold possession of same adversely until they have lost their title by limitation. The United States is not to blame for such laches. The Court of Claims found:

"It is not shown that the United States at any time received any benefit therefrom."

John Sevier was the first governor of Tennessee, was a man of good judgment and strong political influence, and it is to be presumed that he received the benefit of the warrants involved in claims 1 and 2. When his estate was inventoried even the most insignificant articles of minutest value were itemized, yet no mention was made of such warrants.

There is no merit in this claim; hence it is disallowed.

THOMAS L. BLANTON.

After the committee had unanimously adopted the above report, the gentleman from Kansas [Mr. LITTLE] appeared, requesting the committee to rescind its action and give him, as author of the bill, further time to consider the case, which was done.

As this session of Congress is drawing to a close and in its last hours, it is always usual to have rules suspended and bills considered and passed out of their regular order. I am taking this method of apprising my colleagues in advance of the demerits of quite a number of bills against which I have filed minority reports, hoping to enlist their aid in assisting me to prevent their passage.

The following letters will indicate my conclusions reached on the Killeen and Wreidt cases:

SEPTEMBER 6, 1918.

Hon. CHAMP CLARK,
House of Representatives.

MY DEAR MR. SPEAKER: At your request I have carefully investigated the claim of Mr. George Killeen against the Government and regret to state that the record discloses very little merit.

Claimant contends that in 1896 and 1897, over 20 years ago, under a contract with one Carver, a private citizen having no connection with the Government, he was excavating dirt at the base of the hill in Georgetown from M to Prospect Street; that one Goslin, an employee, and whom he thinks was a draftsman and engineer or assistant engineer in connection with the Quartermaster's Department, verbally gave him directions to dump the dirt in making such fills, which he claims was a beneficial and necessary work for the Government, and asks that he be paid $35,000 for such work under the bill introduced by you for his remuneration.

Claimant does not contend that any official of this Government authorized to make such contracts induced him to perform such work. He is shown to have been at the time an experienced and active contractor in such line of work and is presumed to have known that he could not expect pay from the Government unless directed to do the work by an authorized official. Not until March, 1902, over five years after the completion of the work, did Mr. Killeen take any steps toward making a claim or procure any affidavits supporting same. The probative force and effect of all of these affidavits merely tends to show that affiants knew of Mr. Killeen dumping more or less dirt in making the fills at the Aqueduct Bridge, and that such fills were beneficial, and in their judgment they believed that Mr. Killeen should receive pay for same.

It is well known to every business man that in numerous instances in making required excavations the party moving the dirt is glad indeed to find a near-by dumping place for same and in many cases charges nothing whatever for the dirt but considers himself fortunate indeed to get rid of it.

Mr. Killeen has furnished no affidavit or statement of any kind whatever from this man Goslin.

In his petition to Congress for reimbursement, sworn to on November 23, 1912, 15 years after the completion of the work, Mr. Killeen states that he was verbally requested to dump this dirt by Col. Owen, and that after performing the work he had several conferences with Maj. C. F. Humphrey, depot quartermaster, relative to his pay, and was delayed in prosecuting his claim because of the absence of Maj. Humphrey from this country; but in the record is a copy of a letter from Mr. Killeen to Maj. Humphrey, of date March 17, 1902, wherein Mr. Killeen seeks to remind Maj. Humphrey of the said conferences and states emphatically that the person who told him to dump the dirt in said fills was a Mr. Goslin (who was an employee, or draftsman, or engineer, or an assistant engineer in the Quartermaster's Department), and he nowhere makes any reference to a Col. Owen.

Moreover, Mr. Killeen has attached to the record no statement whatever from Col. Owen or from Maj. Humphrey, or from any other person claiming to have had authority to bind the Government.

I regret very much, indeed, to report that under the record, in its present condition, I do not believe that there is any merit in Mr. Killeen's claim.

Very sincerely, yours,

THOMAS L. BLANTON.

APRIL 1, 1918.

Hon. S. D. FESS,
House Office Building.

MY DEAR COLLEAGUE: At your request I have carefully considered the claim of Mr. E. A. Wreidt for $102 and regret very much, indeed, on your account, that I can not approve same.

First. Mr. Wreidt put in a claim for $254 for Shirley Wootten, hired as a stenographer, covering following: One month's pay from April 29 to May 28, $150. From May 29 to June 1, 4 days, at $5 per day, $20. Also, 84 hours overtime during above period, at $1 per hour, $84, making in all the $254. Of the above the auditor allowed and paid Mr. Wreidt $249, and only disallowed $5, covering an imaginary extra day which the law does not recognize. After paying this stenographer $150 per month, and then paying him for 84 hours extra time at $1 per hour during said period, it does seem that the stenographer was exacting to contest for this $5 disallowed. (Sec. 6, act June 30, 1906.)

Second. Mr. Wreidt claimed $42.50 for Charles F. Warren, to cover 42½ hours work at $1 per hour. At this time Mr. Warren was a regular employee of the Government, drawing a regular salary fixed by law, from the Department of Labor, and the payment to him of any additional compensation for any services was specially prohibited by law. (See sec. 1765 R. S. and 20 Comp. 223.)

Third. Likewise for the same reason it was contrary to law to pay George M. Depue $29.50 for 29½ hours, at $1 per hour, as he was then a regular employee of the Government on salary.

Sincerely, your friend,

THOMAS L. BLANTON.

Of the number of claims against which I have filed minority views, where the committee favorably reported payment, the following will illustrate the kind, class, and variety of such claims, and the utter want of merit in them:

HUGH CAMERON (H. R. 8576).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

I respectfully submit that this is not a just claim against the Government, and that not a dollar should be paid to the claimant.

After carefully investigating the accident, the Quartermaster General on December 17, 1913, made the following unfavorable report, to wit:

"In view of the fact that it appears Mr. Cameron sustained injury on account of his own neglect, it is recommended that the bill be not favorably indorsed.

"HENRY G. SHARPE,
"Brigadier General, Quartermaster Corps,
"Acting Chief, Quartermaster Corps."

On December 20, 1913, the Judge Advocate General, after reviewing the case, gave an unfavorable report, to wit:

"Affidavits are submitted which show that the injury was slight and due to Cameron's negligence. * * * In view of the statement of the constructing quartermaster and the accompanying affidavits, to the effect that the injury was slight and due to Cameron's own negligence, the War Department should recommend that this bill be not favorably considered.

"E. H. CROWDER,
"Judge Advocate General."

On December 22, 1913, the War Department refused to approve this claim by the following unfavorable report, to wit:

"The department concurs in the opinion of the Judge Advocate General of the Army, expressed in the preceding indorsement.

"HENRY BRECKINRIDGE,
"Assistant Secretary of War."

I want to call special attention to the report made by the constructing quartermaster, under seal, together with the evidence he submitted, which he also sent under seal, to wit:

"CONSTRUCTING QUARTERMASTER'S OFFICE,
"UNITED STATES MILITARY PRISON,
"Fort Leavenworth, Kans., January 5, 1912.

"Hugh Cameron was employed as a stonemason on September 1, 1908, by the day at a daily compensation of $3.20. He was employed as a mason at the same rate of pay on December 1, 1908. He received pay only for the days on which he worked. He was employed under the provisions of paragraph 12 of section 1 of schedule A of the civil-service rules. All other mechanics that work on the new prison work are so employed; this for the reason that it is necessary from time to time to change the mechanics, due to the changes in the classes of work which are involved in the construction of the new prison. All these mechanics are paid from the appropriation for the new prison.

On August 8, 1911, Cameron was at work on the foundation of wing 3 of the new prison, putting in concrete. An eyebeam had been previously placed across the northwest tower of wing 3, as shown on blue print herewith, for the purpose of putting the end of a concrete board on it when putting in concrete in the tower. The concrete board had been moved to the position shown in full lines on the print as of date of August 8. The beam was lying across the tower foundation for no purpose. It appears that Cameron walked out on this beam for no purpose in connection with the construction work. He fell off the beam to a point about 6 or 7 feet below and injured his ankle. So far as this office is informed, the injury was slight.

The injury to Cameron was accidental and due to his own neglect. For this reason the injury was not reported to the Quartermaster General. Statements of First Sergt. Frederick W. Jackson, Second Prison Company, United States Military Prison Guard, and Foreman Carpenter Fred Hall are herewith inclosed.

Hugh Cameron was discharged on account of reduction of force and his position has not been filled. It is the intention of this office to make a further reduction in the force of skilled mechanics on this work.

* * * * * * *

[SEAL.] THOMAS H. SLAVENS,
Lieutenant Colonel, Department Quartermaster General,
U. S. Army, Constructing Quartermaster.

UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 4, 1912.

On August 8, 1911, I was at work as foreman carpenter in charge of the mechanics in the construction of the new prison. About 4.15 p. m. I was informed by First Sergt. Jackson that Mr. Cameron had fallen in the ditch. I immediately went down there to the building and found Mr. Cameron sitting on the bank. He said he did not think he was very much hurt and would be up to work to-morrow. He had fallen from a 6-inch eyebeam, which had been laid across the northwest tower of wing 3 for the purpose of supporting a concrete board when concreting in the tower. The concrete board had previously been permanently removed from that place, and the eyebeam was there for no purpose in connection with the construction work. Mr. Cameron had fallen from the eyebeam down to the concrete footing below, a distance of about 7 feet. I had more than once cautioned Mr. Cameron about walking on such places, and told him to keep off of them. He had gone out on the eyebeam for no purpose in connection with the construction work on which he was employed. His fall was accidental and due to his own neglect.

[SEAL.] F. E. HALL,
Foreman Carpenter.

UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 12, 1912.

I was working on August 8, 1911, about 4.15 p. m., mixing concrete on the first wing on the west side. The concrete board was back toward the end of the building. An eyebeam was placed for the concrete board to rest on when the concrete board was working there. The concrete board was moved away from there, and the eyebeam was no longer used. I saw Mr. Cameron walk out on the eyebeam, pointing down at the prisoners in the ditch tamping concrete opposite the concrete board. He lost his balance and turned around and grabbed with his hands and caught the eyebeam, and seemed like his weight was too much for his arms and he let loose and fell on his feet. He limped over and sat down on one of the foundations, then a couple of men took his shoes off and put his feet in water. He limped, and it looked like his ankle was sprained. He sat around until the whistle blew and then walked out the gate with a stick.

[SEAL.] ANDERSON CORDRAY,
Military Convict No. 2799.

UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 12, 1912.

On August 8, 1911, about 4.15 p. m., I was working on a concrete board on cell wing No. 3. Mr. Hugh Cameron was the civilian mason. The concrete board had been supported while working on one of the towers by an eyebeam. The concrete board had been moved away and the eyebeam was still there, but of no use. I was at work, and I saw Mr. Cameron walk out on this eyebeam and motion with his hands and he fell off into the ditch below. It was a habit of Mr. Cameron to walk around that way, and he had been cautioned lots of times about doing it. There was no necessity for him to walk on the eyebeam. Mr. Cameron bathed his foot in a bucket of water and went home at quitting time. He did not seem to be much hurt; just a sprained ankle.

[SEAL.] WILLIAM E. THUMPLER,
Military Convict No. 3362.

UNITED STATES MILITARY PRISON,
Fort Leavenworth, Kans., January 4, 1912.

On August 8, 1911, I was in charge of the fourth gang on the new prison site. About 4.15 in the afternoon I was informed by a convict that Mr. Cameron had fallen in the ditch. As I was standing near by I went down the bank and saw Mr. Cameron, having his foot in a bucket of water. He told me at the time that he did not think he was hurt much. He had fallen off an eyebeam placed across the ditch of the northwest tower of wing 3. The eyebeam was used to support a concrete board when throwing concrete in the tower wall. The concrete board was not in use there that day and the eyebeam was not there for any use that day. As Mr. Cameron fell off the eyebeam he went out there for no purpose in connection with the construction work on which he was employed. His fall was accidental and due to his own neglect. I had heard Mr. Hall, the foreman in charge, several times caution Mr. Cameron to keep off of such places.

[SEAL.] FREDERICK W. JACKSON,
First Sergeant, Second Prison Company,
United States Military Prison Guard.

Cameron was hurt on August 8, 1911, and did not consult a physician until August 9, 1911. All eyewitnesses state that after the accident Cameron stated that he was not hurt much, but would be back for work the next day, and if he hadn't been discharged the next day on account of reduction of force he probably would not have filed this claim. Both the constructing quartermaster, Thomas H. Slavens, and the foreman carpenter, F. E. Hall, state that the eyebeam out upon which Cameron walked and from which he fell was in disuse, and not used for any purpose about said work, and this Foreman Hall states:

"I had more than once cautioned Mr. Cameron about walking on such places and told him to keep off of them."

At the proper time I expect to offer an amendment to strike out the enacting clause of this bill, for I believe that such action should be taken.

THOMAS L. BLANTON.

[House Report No. 464, Sixty-fifth Congress, second session.]

PAUL GUENTHER (H. R. 8509).

Mr. BLANTON submitted the following minority report:

I can not approve this claim, for the following reasons: The only evidence submitted to the committee is the unsworn statement submitted by claimant's attorney in the way of a brief, seven pages of which form the majority report. As above stated, this is neither signed nor sworn to, and, if untrue, would attach legal liability to no one.

According to claimant's own statement, the bookkeeper did not get sick until February 26, which was only three days before the report had to be filed, and claimant then waited until February 28 before addressing a letter to the collector at Newark, N. J., requesting additional time, he knowing full well at that time that the collector would not receive this letter in time to answer it until after the date for filing the report had expired. His action in thus waiting was both careless and negligent. This bookkeeper, Mr. Paquette, did not sign the report, and his signature was not necessary to either report.

It is highly important that all income and revenue-tax reports should be filed within the time specified by law, and where there is a careless failure to comply with the law it would vitiate its penal provisions for Congress to interfere. The language used by Deputy Commissioner Fletcher is based only on unsworn correspondence and is but a polite, conciliatory conclusion, courteously used in disallowing the claim. I submit that this claim should not be allowed.

THOMAS L. BLANTON.

[House Report No. 465, Sixty-fifth Congress, second session.]

J. B. PATTERSON (H. R. 2013).

Mr. BLANTON submitted the following minority report:

I can not agree to the policy of approving claims of this character until conclusive evidence has been presented establishing both the justice and bona fides of same.

The only evidence in this case is the ex parte affidavit of the claimant, according to which, on February 26, 1914, thieves entered his post office at Lacon, Ala., and robbed him.

The Post Office Department shows that, according to the claimant's own statement, the stamps were taken from an unlocked drawer; that leaving such stamps in such an unprotected place was in direct violation of section 361 of the postal laws; that at the time said postmaster had a safe in his office, but claimed that it was full of books of account and money, and the Postmaster General sums up the case as follows:

"The postmaster's failure to keep the stamps which were stolen in a locked receptacle, as prescribed by the regulations, was considered negligence within the meaning of the act cited, and, following the established practice of the department in such cases, his claim was accordingly disallowed."

In view of the fact that hardly a month passes during which there is not a default by some postmaster somewhere in the United States, I submit that in a case of this character conclusive evidence should be submitted to the committee of the robbery, other than by the ex parte

affidavit of the claimant himself, before such claim is favorably considered. And I further submit that where inexcusable negligence, such as we find in this case, exists, we should not override and disturb the action of the Postmaster General in disallowing the claim.

THOMAS L. BLANTON.

[House Report No. 484, Sixty-fifth Congress, second session.]

ARTHUR WENDLE ENGLERT (H. R. 2207).

Mr. BLANTON submitted the following minority report:

The record shows that the claimant filed upon the 40 acres of land in question on August 1, 1911, and, after complying with formalities, on October 3, 1911, went upon the land and remained thereon in actual peaceable possession thereof, using, occupying, cultivating, and enjoying the same in open, notorious, and undisturbed possession thereof until March 27, 1916.

So far as the record discloses, no adverse claimant ever set up any claim to the land or made any demand for possession, but in February, 1916, claimant had an abstract of title made to the land, same then disclosing for the first time that the land had been patented to another on June 1, 1880, and that the claimant, without any demand being made upon him, on March 27, 1916, filed a relinquishment of his claim to the land with the Government and requested the return of the $62 he had paid out in fees.

I understand that under the laws of California, if an attempt had been made by the prior patentee to eject him, claimant could have recovered from the patentee the value of all of the improvements which in good faith he had placed upon said land, and in justice and good conscience said prior patentee should have paid for such improvements made in good faith, for in six more months the title of claimant to said land would have been perfected by the five-year statute of limitations existing in California.

But without any demand being made upon him by anybody, claimant voluntarily relinquished his title back to the Government and abandoned said land which he had occupied for four and one-half years, and left all of his improvements which he claims to have been valuable and made in good faith as a present and gift to an unknown prior patentee named Dallas, who, so far as the record shows, had never asserted any claim to the land after 1880. I do not think that he should be paid more than the said $62 by the Government.

THOMAS L. BLANTON.

[House Report No. 498, Sixty-fifth Congress, second session.]

YNCHAUSTI & CO. (H. R. 9018.)

Mr. BLANTON submitted the following minority report:

I can not agree to a favorable report of this claim. To make the United States Government liable for the torts of its employees would establish a precedent both unwise and dangerous.

The Court of Claims, composed of eminent jurists, after hearing all of the evidence in the case, rendered the following conclusion:

"Upon the foregoing findings of fact the court concludes that the claim herein is neither a legal nor an equitable one against the United States."

If we should pay for this tort, we would likewise have to settle for every other tort committed, grave or casual, serious or ridiculous. Should a janitor negligently leave some snow at the entrance of a public building, we would have to liquidate the damages of every pedestrian who may have unfortunately slipped down thereon. Every time any one of our numerous postal carriers happens to run over a calf, pig, or chicken, or should wound the feelings of some patron by answering them abruptly and insultingly, the Government would be called upon to pay the price. Should any one of the thousands of Government employees wrongfully engage in a fisticuff with some citizen and inflict upon him bodily injury, serious or otherwise, according to precedent we would have to pay. I am in favor of deciding this case according to law and equity, by not disturbing the judgment of the Court of Claims.

THOMAS L. BLANTON.

[House Report No. 520, Sixty-fifth Congress, second session.]

J. PH. BINZEL CO. (H. R. 7985).

Mr. BLANTON submitted the following minority report:

I can not approve this claim. When one has valuable merchandise sent him by ordinary mail, without being registered or insured, it is sent at his own risk. Notice was printed on each order for stamps that unless purchaser ordered same registered, insured, or sent by express, they would be transmitted by ordinary mail at the risk of the purchaser. And this was understood by all brewers.

Binzel Co. ordered the stamps sent by ordinary mail. By paying a small fee it could have had protection by registering, insuring, or expressing. It preferred to take chances. The collector promptly filled the order by properly addressing the stamps in an envelope 7 by 10½, sending by ordinary mail as ordered. This being done, the obligation of the Government ceased. To approve this claim would guarantee safe delivery of ordinary mail to Binzel Co., where no other citizen is so guaranteed. If Binzel Co. had ordered $311 worth of jewelry, or postage stamps, or bank notes, sent by ordinary mail, would it not be at his own risk? Would it ask the Government to make good such a loss?

Moreover, no court would permit R. P. Binzel to swear, as he has attempted to do in his affidavit, that no member or employee of Binzel Co. ever received the stamps. He could only swear that he didn't himself, and only what he knew himself, but couldn't swear what others did or didn't do in his absence. Then, again, Carrier Finch is what I would call a willing witness, when on February 4, 1918, he attempts to relate positively what occurred on November 3, 1916, when from time to time he had delivered other packages of stamps, and this particular piece of mail was an envelope 7 by 10½. We can not establish a precedent for making good every loss in the transmission of ordinary mail, neither registered nor insured.

THOMAS L. BLANTON.

I join in the foregoing minority report.

ALVAN T. FULLER.

[House Report No. 588, Sixty-fifth Congress, second session.]

WILLIAM WOOSTER (H. R. 914).

Mr. BLANTON submitted the following minority report:

This bill as introduced proposes to pay to William Wooster $7,442.39 additional to the amount he is entitled to and has received from the Government under the plain provisions of his contract. I can not approve of the habit we are fast acquiring of going behind every contract and granting the contractor additional compensation whenever he happens to sustain a loss, but at the same time letting the Government take its medicine in the thousands of contracts executed every year where compensation is paid out of all proportion to the services rendered. Hence I can not approve the favorable report made by my colleagues.

After making a successful competitive bid under advertisement, Wooster entered into a contract with the Government to haul freight between Holbrook, Ariz., and Fort Apache during the year commencing July 1, 1905, and ending June 30, 1906, for which he was to be paid 93 cents per 100 pounds, and was not required to make more than 9 miles per day, and should the Government require him to make 13 miles per day he would be paid $1.11 per 100 pounds, and his contract required him to receive and haul freight at any time during said 12 months upon having five days' notice of such delivery.

The record shows that during the preceding year, under contract with the Government, John R. Hulet delivered all such freight from July 1, 1904, to June 30, 1905, for only 80 cents per 100 pounds.

And the affidavit of Wooster shows that after executing his contract he hired freighters to haul this freight for him with their own wagons and teams for only 80 cents per hundred. And it is to be presumed that they were able to make a living at it. Wooster owned no wagons or teams, and after executing the contract acquired no equipment whatever. He was a merchant, and many people in the country were his debtors, and he expected to collect his store accounts by hiring the freighters who owed him to perform his contract by hauling the freight at 80 cents per hundred, and at the same time make a profit of 13 cents per hundred by collecting 93 cents from the Government for such service. The plan materialized without a hitch until unprecedently bad weather set in during December, and these debtor-freighters were not so anxious to pay their debts by hauling freights through snow and freezing mud for only 80 cents per hundred when their shrewd creditor was receiving 93 cents in yellow gold from the Government for such service, and they struck for higher pay. On December 18, Wooster having failed to furnish transportation facilities after proper notice, the Government was forced to pay a freighter $2 per hundred to haul 22,970 pounds, and again on December 26 (the day after Christmas festivities) the Government was again compelled to pay a freighter $2.50 per hundred for hauling 19,768 pounds. And this failing down on his contract, and the resulting emergency compensation the Government in its dire necessity was forced to pay, set a precedent, and has caused the Government each year since then to pay a higher price for this transportation.

Mr. Wooster contends that the Government should have delivered the freight to him in good weather and before the winter set in. He did not so contract. The written, explicit contract does not so provide. The very reasonable distance of only 9 miles per day he was required to make was a bad-weather schedule and not a good-weather one. In reporting on this matter Maj. H. S. Bishop, Fifth Cavalry, states:

"As to Mr. Wooster's claim, I have no remark to make, as not only he but all freight contractors in that part of Arizona know the conditions before making the bids to haul Government freight."

Without any equipment whatever and without putting one single dollar into the investment or business, Mr. Wooster entered into this contract with the Government, hoping to collect all of his bad debts due him by freighters and men who owned wagons and teams by getting them to haul at 80 cents per hundred, which price the former contractor had received from the Government during the preceding year, and that at the same time in addition he would make a clear net profit of 13 cents per hundred by being paid 93 cents per hundred by the Government. Bad weather, which he could have contemplated, spoiled his pipe dream, and now he asks the Congress to make for him a new contract and require the Government to make good his losses by taking the people's money out of the Treasury and put it into his pocket. In this particular kind of a case I believe that the old doctrine of "As a man binds himself so shall he remain bound," should apply, and at the proper time I shall offer an amendment to strike from the bill its enacting clause.

THOMAS L. BLANTON.

[House Report No. 589, Sixty-fifth Congress, second session.]

EUGENE FAZZI (H. R. 637).

Mr. BLANTON submitted the following minority report:

The bill as introduced proposes the payment of $5,000 to Fazzi for injury he received on March 8, 1916, within a few days after entering the employment of the United States. It is admitted that this claim is not covered by the compensation act of May 30, 1908, and to grant Fazzi compensation it would be necessary to make the act of September 7, 1916, retroactive. Were it not for establishing the dangerous precedent of making retroactive the provisions of this last-mentioned act, which Congress saw fit not to do when passing it, I would be in favor of allowing Fazzi one year's salary of $720. But there are probably thousands of such claims antedating the passage of the act of September 7, 1916, and if we allow compensation to Fazzi we shall be forced to treat all alike and make the provisions of said act retroactive by compensating all claims which may be raked up during the ages past. I therefore submit that no compensation should be allowed, but that the recommendation made by the Quartermaster General, to wit, "That Mr. Fazzi be appointed telephone operator, by Executive order, at $660 per annum, at the Philadelphia depot," be approved by this committee and that it shall recommend and insist that the above or some better position be given to Fazzi.

THOMAS L. BLANTON.

[House Report No. 618, Sixty-fifth Congress, second session.]

F. W. SCHULTZ. (H. R. 746.)

Mr. BLANTON submitted the following minority report:

I must protest against reporting this bill favorably. All of the evidence placed before our committee to establish it is contained in the printed report (No. 108) made to the Sixty-fourth Congress, and which the majority has adopted as its report, this report being the only evidence offered.

Postmaster F. W. Schultz was at the time of the alleged robbery cashier of the State Bank of Junius, and he left the entire management of the post office to his assistant, L. O. Caldwell. He was charged with knowledge of the requirements of section 356, paragraph 4, Postal Laws and Regulations, which provides:

"Where stamps and funds are kept in iron safes with combination locks, such safes must be carefully and completely locked at night or when the office is left without occupants for any considerable length of time. The common practice of closing safes with what is termed a

'day lock' and 'day combination' affords no protection against experienced burglars, and in case of loss resulting therefrom no credit will be allowed."

Mr. Schultz was presumed to know that if his assistant, Caldwell, did not completely lock the safe at night he himself would sustain loss.

The safe was opened without any force whatever being applied to it, and such safe undoubtedly was not locked in accordance with postal requirements. This claim should not be allowed.

THOMAS L. BLANTON.

[House Report No. 619, Sixty-fifth Congress second session.]

GEORGE F. WEAVER. (H. R. 985.)

Mr. BLANTON submitted the following minority report:

I regret that I can not agree with my colleagues in favorably reporting this bill. I feel constrained again to call attention to the very meager and inclusive evidence upon which claims are allowed. I have made inquiry of the clerk of this committee whether there has been filed with the committee any evidence not contained in the regular jacket containing the papers of this claim, and he advised that there is no evidence filed with the committee other than the printed Report No. 1461 in the Sixty-fourth Congress, which was adopted by the majority as its favorable report.

Hence, so far as this committee is concerned—and it is its report upon which it is asked that Congress shall take money out of the Public Treasury and put it into the pocket of Mr. Weaver—no evidence of any probative weight and force whatever has been offered to establish the justness of the claim. Without such evidence I shall never agree to favorably report any claim.

According even to the unauthenticated allegations in this old report Weaver has not established a claim against the United States. He asks Congress to pay him $2,369 for alleged damages he claims to have sustained in efforts to purchase public lands, of which $1,260 is to cover loss of 14 months' wages, at $90 per month, $500 for clearing and maintenance of himself and family for one year, and the balance embracing items for alleged expense in going to and from Olympia, attorney's fees, etc.

Under the law Weaver was entitled to file on only 160 acres as a homestead entry. Simply because one Doels had a superior claim to about 50 acres of the tract he filed on did not give Weaver the right to perfect his title to his 110 acres and then file on an additional tract of 118 acres, as he was entitled only to his complement, which, added to his 110 acres, would make his complete homestead entry of 160 acres. The Government did not owe him and his family a living while he was acquiring a home on public lands. His experience was similar to that of hundreds of other men attempting to acquire public lands both of the United States and of States. One file would infringe upon the file of another, and the senior file would prevail in taking the land in conflict.

Weaver did acquire title to 110 acres of what is known as the Montrose homestead, and simply because he lost the remaining 50 acres in conflict, which he had used and had the benefit of its occupancy for 14 months along with his own 110 acres, it was ridiculous for him to ask the Government to pay him $90 a month for the 14 months he used this land, simply because he had been drawing a salary of $90 per month as a baker when he decided to acquire a home on public land. Ignorance of the law excuses no man, and he should have known that the Government would not permit him to file on 118 acres additional.

I respectfully submit that this claim should be disallowed.

THOMAS L. BLANTON.

[House Report No. 620, Sixty-fifth Congress, second session.]

MARION BANTA (H. R. 11689).

Mr. BLANTON submitted the following minority report:

I can not approve of the action of my colleagues in favorably reporting H. R. 11689. There has not been one scintilla of evidence presented to the Committee on Claims even tending to establish the justness of this claim.

The report from Secretary McAdoo shows conclusively that Marion Banta made a bid on a Government contract, and that he voluntarily forfeited his earnest money rather than perform the contract. Simply because he made a lower bid than some one else and would have lost money in performing his contract is no good reason why he should be relieved of his contract. In making his bid he had the same opportunity for investigation as J. H. Kippling and the Grohne Decorating Co., for they all bid upon the same advertised specifications. Banta knew at the time he sent in his certified check to insure the performance of his contract that it would be forfeited to the Government if he did not perform the services required.

Secretary McAdoo states the following:

"On September 7, 1911, the representative of this department, who was directed to take charge of the work, reported that Mr. Banta, instead of commencing the work, had told the custodian that he would forfeit his contract, and had left with the custodian a written statement to that effect."

If we take money out of the Treasury to pay this claim, there will be no further use of any department of Government requiring a deposit or guaranty for the performance of contracts, for the precedent would be set, and Congress could not refuse to hold such guaranty void.

THOMAS L. BLANTON,

[House Report No. 624, Sixty-fifth Congress, second session.]

WILSON M. DENT (H. R. 744).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

I can not agree to a favorable report on H. R. 8093, which is a bill to pay to Wilson M. Dent the sum of $1,000 for castrating two colts running loose on the range.

Mr. John E. Daugherty, superintendent, certifies to the Commissioner of Indian Affairs under date January 9, 1913, the following:

"It is customary in these round-ups to castrate all young male stock of lessees along with the same stock belonging to the Indians, on the open range, which procedure is a proper and constructive measure."

On December 28, 1912, Mr. Van Kennedy made affidavit before a notary, in which he swears "that in the month of May, 1910, affiant was told by the superintendent of the reservation to inform the said Wilson M. Dent that there would be the beginning of a round-up of the Indian horses the next day, and if said Dent wanted to be there to come in person or to send a representative."

The claimant, Wilson M. Dent, swears "that he was informed by Van Kennedy, who on a Friday evening in May, 1910, called on me and stated that the Indian agent had that day requested him to see me and tell me that the general round-up would begin the following Monday, and that they were castrated the next day, Saturday, and that said stallions were full 2 years old when castrated."

The weight of the evidence indicates that Dent had notice of the round-up. He did not have a lawful right to permit 2-year-old stallions, old enough for range service, to run at large, especially when he knew of the general custom to castrate all of same in round-ups, as "a proper and conservative measure." It is awfully easy to get opinions expressed as to values and damages to benefit a neighbor, especially when it comes out of the Government.

THOMAS L. BLANTON.

[House Report No. 638, Sixty-fifth Congress, second session.]

FAXON, HORTON & GALLAGHER (H. R. 2958).

Mr. BLANTON submitted the following minority report:

I can not approve this bill (H. R. 2958) to pay Faxon, Horton & Gallagher, $888, Long Bros. Grocery Co. $197, A. Rieger $327, Rothenberg & Schloss $441, Riley, Wilson & Co. $466, and Van Noy News Co. $866, for alleged loss of internal-revenue stamps during high water.

After having this case submitted to it for determination, the Court of Claims reached the following—

"CONCLUSION.

"Upon the foregoing findings of fact the court concludes that these claimants named in the first finding have neither legal nor equitable claims against the United States, and any payment thereof rests in the bounty of Congress."

Suppose this loss had occurred by fire. The party whose property burned would have been unfortunate, but would Congress be expected to make his loss good? These revenue stamps were of value. It cost to engrave them. It cost to sell and distribute them. Suppose, again, the place of business had been burglarized and these stamps had been stolen, would Congress be expected to make good the loss?

The question of how many revenue stamps any given dealer has on a stock of tobacco and cigars, which suddenly is destroyed by fire, water, or burglary, is so very uncertain and indefinite that its total, after all, is largely an estimate and guess; and its sum is determined only by the party at interest. The Government has no means of offsetting such testimony. If we set a precedent in paying such claims of loss, it will open to many avenues of fraud against the Government, and fraud, too, which the Government has no way of circumventing.

I respectfully submit that, in accordance with the conclusion reached by the Court of Claims, this claim has not been legally or equitably established; that it be disallowed. I regret, however, to be forced to disagree with my colleagues who have favorably reported this bill.

THOMAS L. BLANTON.

[House Report No. 652, Sixty-fifth Congress, second session.]

CLARA KANE (H. R. 1623).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

This is a case where my colleagues on the committee, through the favorable majority report, seek to pay to claimant $69.12 more than she asks. Under the law she is entitled to nothing, and has no legal claim against the Government. Whether she is paid anything depends entirely upon the Government's bounty. She asks for only $480. The bill (H. R. 6406) was introduced in the Sixty-fourth Congress to pay her $480. In her letter dated February 28, 1916, addressed to Congressman WILLIAM S. VARE, she (Clara Kane) states:

"William Yenser, the deceased, contributed an average of a little over $10 per week, but I returned to him sufficient to buy his clothes, from the amount he contributed, leaving a net balance of $480 for the past year. As you will see, this shows that he spent about $50 or $60 for clothes, and I did not feel that I was entitled or should ask for that which he had spent on his clothes, and confined myself to the actual net amount received.

"Trusting this will be satisfactory, I am,

"Very truly, yours,

MRS. CLARA KANE."

William Yenser received only $1.76 per day. If he spent $50 or $60 per year on clothes he could not have contributed even $480 net per year to Mrs. Kane, for he had to have food, and a year's food must have cost him or Mrs. Kane something.

But in the face of the above evidence the committee, with that liberality with which it is noted, recommends that Congress pay more than the claimant desires, and that she be given $549.12 instead of the $480. Mrs. Kane was related to William Yenser neither by affinity nor consanguinity. I respectfully submit that this allowance should be reduced to $480, the full amount asked for.

THOMAS L. BLANTON.

[House Report No. 653, Sixty-fifth Congress, second session.]

MRS. ANNIE M. LEPLEY (H. R. 1446).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

The favorable report of the committee on this claim, H. R. 1446, is to allow the postmaster at Plymouth, Cal., $2,055.83 as the alleged amount of stamps, money, and money orders lost by burglary on March 13, 1915. I must dissent from the action of my colleagues and protest against the allowance of this claim, for it is clearly against provisions of the law.

Section 301, Postal Laws and Regulations of 1913, provides in part, as follows:

"4. Where stamps and funds are kept in iron safes with 'combination locks,' such safes shall be carefully and completely locked at night or when the office is left without occupants. No credit will be allowed for losses from safes fastened only with what is termed a 'day lock' or 'day combination.'

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein; and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence."

The above sections 4 and 5 of said postal laws are both reasonable and just and protect the Government from fictitious and fraudulent claims of loss. In order to blow open a safe locked by combination the risk of attracting attention by the incident noise is taken, and the regulation requiring the combination to be changed when installed or upon assumption of office is to insure this very contingency, namely,

that when Government funds are taken from that safe it is after the noise of an explosion has occurred and a safe is left demolished, excluding the idea of a simulated burglary. These regulations are clear and explicit, are understood by all postmasters, and, for the protection of the Government, must be complied with. Where an honest postmaster negligently fails to comply with same it is better that he should suffer loss than to establish a precedent that would nullify important provisions of our postal regulations and open the avenue of fraud to the thousands of post offices throughout the country.

The Government has no way of denying the amount of loss claimed by a postmaster. He could say that he had a thousand dollars in his safe when he didn't have a dollar; hence before any claim is ever allowed the postmaster should show that he complied with the rules and that the alleged loss was not the result of his own negligence.

The report of the Postmaster General shows that the alleged funds were taken from the safe without the use of force; that both the postmaster and the postmaster's daughter admitted that the inner door of the safe had not been locked; and that the combination of the safe had not been changed since its purchase. His conclusion is:

"The postmaster's failure to completely lock the safe in which stamps and funds were left at night and to change the combination, as required by regulation, was considered negligence within the meaning of the above-cited statute, and, following the established practice of the department, this claim was disallowed."

I respectfully submit that we should not repeal this law by allowing this claim.

THOMAS L. BLANTON.

[House Report No. 718, Sixty-fifth Congress, second session.]

MARIAN B. PATTERSON (H. R. 6486).

Mr. BLANTON, from the Committee on Claims, submitted the following minority report:

Although all of my colleagues on the committee have voted to favorably report H. R. 6486 and pay to Marian B. Patterson $20,963 out of the Public Treasury, I regret that my duty as I see it under my oath of office will not permit me to do otherwise than to protest their action, and at the proper time I shall move to strike from the bill its enacting clause. I sincerely believe that if any Member will give this case the same careful study and investigation which I have given to it he will inevitably reach the conclusion I have formed, that the Government is not due one single dollar on this claim, and that it would be a great injustice to the people of the United States to take their money out of the Treasury and put it into Mrs. Patterson's pocket.

I submit that no evidence whatever of probative force has been filed in this case showing that Gen. Patterson suffered any loss. He was entitled to a salary of $5,000 per annum. He served about nine years, to wit, from some time in May, 1897, until about July, 1906. During that time he had in his custody funds of the United States from fees collected to the amount of $62,048.46, and the statement of the Government auditor from the Treasury Department, which I have just procured and will incorporate hereafter, shows that out of said Government funds Gen. Patterson retained for his salary the sum of $42,423.22, and the record further shows that in the beginning of his service, while receiving instruction and in transit, he received for salary the further sum of $1,928.34, and that in addition thereto he drew a draft on the Government for $1,115.70 to cover salary while under instruction prior to January 1, 1898, making a grand total of $45,467.26 received by him as salary for the little over nine years' service. In addition to the above the auditor shows that Gen. Patterson further retained $6,956.80, as compensation due him on agency fees collected; hence altogether he received from the Government as compensation for a little over nine years' service the sum of $52,424.06. And the auditor shows that during this time in Calcutta, the purchasing value of the rupee, at its commercial exchange value, upon which basis Gen. Patterson collected the fees and retained his salary, was 100 cents on the dollar, the same as if he had retained his pay in gold dollars. The record further shows that during said time the Government allowed Gen. Patterson the sum of $21,044.76 for contingent expenses, clerk hire, and relief of seamen.

[House Report 905, part 2, Sixty-fifth Congress, third session.]

ESTATE OF MOSES M. BANE.

Mr. BLANTON, from the Committee on Claims, submitted the following minority views:

My colleagues on the Committee on Claims have favorably reported bill S. 2885, by which it is sought to pay out of the United States Treasury the sum of $1,080 to the heirs of Moses B. Bane, for money alleged to have been paid for office rent in Salt Lake City, Utah, during the years 1877–1879.

On January 11, 1882, the Commissioner of the General Land Office wrote to said Bane, among other things, the following:

"By reference to the records of this office it is found that no allowance has been made you for the office rent during the time specified, and your expenditures for that purpose were therefore unauthorized. Being unauthorized, you have no claim against the United States that this office can recognize, and I therefore have to decline to recommend the amount to Congress for appropriation as a claim for the fiscal years specified."

On February 4, 1882, the Secretary of the Interior rendered the following adverse decision against this claim:

DEPARTMENT OF THE INTERIOR,
Washington, February 4, 1882.

SIR: I have received your report of the 1st instant on the claim of M. M. Bane, Esq. (presented by James H. Mandeville, Esq., of this city, in his letter of the 25th ultimo), for office rent as receiver of public moneys at Salt Lake City, Utah Territory, amounting to $1,080.

It appears that there was no allowance made by your office for such rent, and in the absence of such allowance Mr. Bane had no reason to suppose that it would be paid. There is no fund out of which it could be paid, and the claim can not be entertained by the department. You will so inform Mr. Mandeville and return to him the papers transmitted herewith.

Very respectfully, S. J. KIRKWOOD, *Secretary.*

In giving the facts connected with this case on January 23, 1909, Hon. James R. Garfield, then Secretary of the Interior, stated the following:

"Moses M. Bane was receiver of public moneys at Salt Lake City, Utah, during the calendar years 1877, 1878, and the first quarter of the calendar year 1879. During said period no allowance was made to the register and receiver at Salt Lake City for office rent. The appropriation for contingent expenses of land offices for the years named was not sufficient to pay rent for all the land offices and meet other necessary expenses of clerk hire, furniture, etc. The practice appears to have been to apportion the appropriation to the several land offices, allowing clerk hire in offices in which the compensation paid to register and receiver amounted to the maximum allowance of $3,000 each per annum, and rent in offices in which the compensation did not exceed $2,000 for each officer."

Under the regulations at that time, office rent was allowed only where the compensation received did not exceed $2,000 per annum. Where the compensation amounted to $3,000 per annum, expenses of clerk hire were allowed, but no amount was allowed for office rent, and it was incumbent upon the receiver to furnish his own office.

The following letter from the Interior Department shows conclusively that during this time said receiver, Moses M. Bane, drew compensation of $3,000 per annum, and during 1877 was allowed $1,750 for clerk hire, and during 1878 was allowed $1,400 for clerk hire; hence, under the law, was not entitled to any allowance for office rent:

DEPARTMENT OF THE INTERIOR,
Washington, January 16, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: Reference is had to your letter of January 6, relating to a bill pending before Congress to pay to the heirs of Moses M. Bane the sum of $1,080 to cover certain money he was alleged to have paid out of his private funds for office rent at Salt Lake City, Utah, during the years 1877 and 1878, while receiver of public moneys. You submit four questions for answer, and they will be answered in the order submitted.

1. The records of the General Land Office show that Mr. Bane received $3,000 as compensation for each of the years ended December 31, 1877, and December 31, 1878.

2. This $3,000 was the total amount received for each year, and it was made up of $500 as regular salary and $2,500 allowed as fees and commissions received at the office.

3 and 4. An amount of $1,750 was paid as clerk hire for the year ended December 31, 1877, and an amount of $1,400 was paid as clerk hire for the year ended December 31, 1878.

The records do not show how much of the amount paid for clerical services was paid for service to the receiver separately from that rendered to the register. The amount paid was for necessary services rendered at the land office.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Moreover, this case was submitted to the Court of Claims, which on July 11, 1884, rendered the following adverse opinion:

"The conclusion of the court is that the claimant has no legal claim on the Department of the Interior for reimbursement of the money paid by him for office rent; and it is ordered that a copy of the finding of fact and of this opinion be transmitted to that department for its guidance and action."

I respectfully submit that this claim is without merit, and that not a dollar should be paid thereon.

THOMAS L. BLANTON.

[House Report No. 1042, Sixty-fifth Congress, third session.]

F. M. BARFIELD (H. R. 7253).

Mr. BLANTON submitted the following minority report:

I can not agree with my colleagues on the committee in favorably reporting this bill. From the report of Hon. Otto Praeger, Acting Postmaster General, dated May 18, 1916, concerning the payment of this claim, I call attention to the following:

"The evidence shows that the outer door of the safe in said post office was opened without the use of force. * * * The postmaster stated to the inspector he believed that he had locked the safe on the night before the burglary, but was not positive enough to make affidavit to that effect. He recalled several occasions on which he had failed to lock the safe, from the fact that he had found it open in the morning when he arrived at the office. It appears further that the postmaster purchased this safe at second hand, and that he never changed the combination of the lock, as required by section 356 of the Postal Laws and Regulations of 1902, which reads in part as follows:

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein, and where at any time a safe is procured, either new or second hand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence.

"The postmaster's failure to change the combination of his safe was considered negligence within the meaning of the statute cited, and for that reason, together with his inability to certify definitely that the safe had been locked, his claim was disallowed under date of January 18, 1910."

On December 19, 1918, CONGRESSIONAL RECORD, bottom page 705, I made the following observation:

"I want to call the attention of the committee to the fact that during the past fiscal year there were 664 claims made in the Post Office Department by 664 different postmasters, aggregating $98,966.40, which were allowed by the Postmaster General and paid, not claims made and disallowed but claims made and allowed by the Postmaster General."

If during the past fiscal year the Post Office Department approved and paid off claims of this character aggregating $98,966.40 made by 664 different postmasters, we can understand that when the Postmaster General disapproves and refuses to pay a claim, he has a very good reason for it.

In this particular case the postmaster was clearly guilty of negligence in two respects: First, in not changing the combination after purchasing his secondhand safe; and, secondly, in not closing the outside door with combination such as it would have required force to open it.

If we establish the precedent of allowing this claim, we can not refuse to allow hundreds of other claims made by postmasters that the Post Office Department has turned down because of a noncompliance with rules.

THOMAS L. BLANTON.

I respectfully submit this is my only means of getting these minority reports before the attention of my colleagues. It is well known that on Private Calendar day practically all Mem-

bers leave the House, except the ones interested in some private bill and one who expects to get his bill passed hestitates to vote against another's bill, hence anyone who starts a fight against a bill on that day has his case tried by a stacked jury. On such bills only 200 copies of the report are printed, one-half going to the Senate, hence it is impossible to send a copy of a minority report to Members. By watchful attendance upon proceedings up to this time I have succeeded in preventing such bills from being taken up through unanimous consent and none of the bills against which I have filed minority reports has thus far passed.

I also desire to call attention to H. R. 4015 seeking to pay $1,000,000 to the McClintic-Marshall Construction Co. An attempt was made a year ago to favorably report this bill simply because it had been approved by Gen. Goethals.

Illustrating the fact that even great men may occasionally err in judgment, I call your attention to the bill H. R. 2913, which our great Secretary of the Interior had drawn and introduced April 13, 1917, as a war measure, asking Congress to give him $5,000,000 to farm with on behalf of the Government. Mine was the only dissenting vote in the Committee on Irrigation of Arid Lands against it, and since the bill is now dead and this $5,000,000 is saved no Member will now contend that it was a wise measure. I call attention to the following portion of my minority report against same:

[Report No. 107. July 14, 1917.]

VIEWS OF THE MINORITY.

Mr. BLANTON submitted the following minority views:

From the birth of this proposed legislation, I have fought in the committee a single-handed fight against certain of its features and provisions as being unwise, unnecessary, wasteful, extravagant, nonproductive of good, and wholly uncalled for even in the present war emergency.

To understand fully the merit of the objections to this bill it is necessary to review its history, and incidentally to remember that it is offered solely as an emergency war measure, and unless it is such it clearly has no standing.

In the form in which the original draft of this bill was first discussed in the office of the Secretary of the Interior it contained only two provisions for which an appropriation was deemed necessary; one to permit said Secretary to have cultivated all uncultivated public lands within reclamation projects, and the other to permit said Secretary to commandeer the private lands of individuals, forcibly take possession of same, where located within irrigation projects, and grub, clear, level, ditch, fence, improve, and cultivate the same on behalf of the Government, paying to the owners of such lands whatever compensation therefor as said Secretary should deem reasonable, and in the end charging the expense of all improvements to the owners, and holding their lands until the same was paid. For these purposes the original draft of the bill when first discussed in said Secretary's office provided for an appropriation of $2,000,000 to be reimbursed by the reclamation fund.

Before presenting the proposed measure to Chairman Taylor for introduction, however, Director Davis, of the Reclamation Service, without consulting the Secretary of the Interior or anyone else about it, on his own motion raised the proposed appropriation from $2,000,000 to $5,000,000, and thus the bill was introduced on April 13, 1917, as House bill 2913.

Director Davis considered the necessity for immediately enacting such provisions into law so urgent that on April 16, 1917, before the minority members of the committee had been officially named and the committee regularly organized, a few members of the committee were called together to give Director Davis a hearing on the bill before he left on a trip, and at this meeting it was agreed not to require the reclamation fund to reimburse the Treasury for said appropriation of $5,000,000.

Realizing the many obstacles that would certainly beset the Secretary of the Interior in any effort he might make to farm successfully at long range on behalf of the Government, from the beginning I obstinately fought these provisions of the bill.

* * * * * * *

I respectfully submit that this is no time for the Government of the United States to make such costly experiments or investments. * * *

I have heartily supported President Wilson in all of his war plans, and I intend to continue to heartily support him in all of his plans and policies for bringing about a successful termination of this war; but it can not be claimed that this is a plan or policy of the President, for up to the time this bill was reported out of the committee the President knew nothing of its provisions. It even can not be said that it is a plan or policy of the Secretary of the Interior, for, as above stated, all provisions requiring an appropriation were stricken out of said original bill, House bill 2913, and the sections now in the present bill requiring an appropriation were suggested by Dr. Mead as a means of expending the $5,000,000 appropriation left in the bill at the time said original idea of the Secretary was stricken out.

It is well recognized that the first and most substantial equity which a farmer of limited means obtains in raw land is the labor he expends in improving same—the grubbing, clearing, leveling, ditching, fencing, breaking—something he and members of his family in most instances accomplish by the sweat of their brow and without finances. * * *

Just now the United States is in debt. Each day it is growing deeper and deeper in debt. The people are soon to be taxed more heavily than ever dreamed of before in the history of our Nation. Thousands of people are now unable to make ends meet. For every five million here and five million there it will be necessary for us to add a greater burden upon the people who are patiently relying upon Congress to protect them. In such times it pays a Government, just as it does an individual or business establishment, to pause and ask the practical question, "Is it absolutely necessary?"

It must be kept in mind that the hearings before the committee developed the fact that from such lands practically no crop can be expected as a result of the first year's cultivation, that a very small crop may be expected the second year, and a still larger one the third year of cultivation.

* * * * * * *

By expending one-fifth of this proposed amount, in constructing the Red Bluff project on the Pecos River in New Mexico, several hundred thousand acres of fertile lands in the Pecos Valley of New Mexico and Texas would be made productive—not three years hence, but next year—and would be cultivated by willing farmers who are amply prepared to clear, cultivate, and improve the lands and harvest their crops without any special sugar coating on the part of the Government.

* * * * * * *

The people living in the Pecos Valley are prepared to demonstrate conclusively to the Reclamation Service that this proposed reservoir will hold like a jug, and that by constructing this dam and project it will redeem and reclaim several hundred thousand acres of fertile lands in the Pecos Valley in Texas and New Mexico which are now nonproductive merely for the want of water, and that during flood time ample water would be impounded to answer all requirements.

By using another one-fifth of this proposed appropriation in constructing a dam and project on the Colorado River in Mitchell, Coke, or Runnels County several hundred thousand acres more of fertile lands could be made productive, with ample labor, ready and willing, to cultivate and harvest bumper crops that would be certain with such water assured, and it would be wholly unnecessary for the Government to spend $5,000,000 such as is proposed by this bill.

If another one-fifth of this proposed appropriation were expended in constructing a dam and project on either the Concho, San Saba, or Llano River several hundred thousand more acres of fertile Texas lands could be made highly productive, with ample labor ready and willing to cultivate and harvest crops, and no $5,000,000 sugar coating by the Government would be necessary, as all on earth these good people ask is water. And we could then keep the remaining $2,000,000 in the Treasury.

Congress should see to it that during this war emergency at least all unnecessary waste of public money should stop. Our constituents have confidence in us and are relying upon us. They are going to demand an explanation from us next year.

THOMAS L. BLANTON.

I am indeed glad to note that Secretary Lane has expressed his approval of a plan to reclaim our semiarid lands by the erection of dams and irrigating systems and conserving the flood waters. It will mean much to western Texas.

Getting back to the McClintic-Marshall Construction Co. claim, after giving this case careful investigation I ascertained there was no merit in it. I requested a special hearing on it, and now quote a portion of the examination of one of the main representatives of the claimant from the printed committee hearings, to wit:

MCCLINTIC-MARSHALL CONSTRUCTION CO. CLAIM.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON CLAIMS,
Friday, May 3, 1918.

The committee met at 10 o'clock a. m., Hon. HUBERT D. STEPHENS (chairman) presiding.

The CHAIRMAN. We will now take up the McClintic-Marshall case.

Mr. BLANTON. Mr. Chairman, there are a few question I would like to ask.

The CHAIRMAN. Whom do you desire to interrogate first?

Mr. BLANTON. Mr. Sterrett.

ADDITIONAL STATEMENT OF MR. W. M. STERRETT.

Mr. BLANTON. Your company is not claiming anything more than the terms and provisions of this contract which they signed and executed would warrant, are they?

Mr. STERRETT. You mean claiming any more than was claimed before the committee?

Mr. BLANTON. Let us get our minds away from the committee and get back to the contract. Your company executed a contract with the commission to do certain work on Panama locks, did they not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Under that contract you were paid all that your contract provided for, were you not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Under the terms of the contract; and how much more were you paid by the Government?

Mr. STERRETT. I do not think any more.

Mr. BLANTON. Do you not know that your company was paid approximately $300,000 in cash more than the amount that the contract provided for by the Government?

Mr. STERRETT. No, sir.

Mr. BLANTON. Well, that is a fact. If you will investigate it, you will find that is a fact, as shown by the warrants which your company has received and which are now in the Treasurer's office. Then, you are asking for approximately $1,000,000 here, now, more or less. If what I have said is true, then you are asking for that much money more than you have now been paid under your contract. Is that the fact?

Mr. STERRETT. I can not answer your question. I do not think that is correct.

Mr. BLANTON. On investigation you will find it is correct.

Mr. STERRETT. What I might say is that the contract was on a weight-price basis. Certain weights were assumed at the start, and on the basis of those assumed weights a lump sum was worked out, but we were paid later on the actual weight.

Mr. BLANTON. Do you not know that the contract provides for a weight basis, and that any weight of parts over and above that basis is to be paid for at the same rate of compensation as provided for in the contract? Do you not know that to be a fact?

Mr. STERRETT. Yes; that is in the contract.

Mr. BLANTON. And do you not know that the contract further provides for a certain percentage of weight over the weight provided for in the contract for which there is to be no extra compensation—weight of the various parts? That is a fact, is it not?

Mr. STERRETT. There is a provision in the contract that we can not vary beyond a certain percentage.

Mr. BLANTON. And that up to a certain percentage there shall be no extra compensation?

Mr. STERRETT. That is true.

Mr. BLANTON. Is it not a fact that under the terms of that contract your company was to finish certain locks at a certain specified time? For instance, the Gatun Lock and the other two locks were to be finished at a certain specified time, were they not?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Is it not a fact that with respect to those locks and the time specified time was of the essence of that contract? You know what is meant by that legal term, do you not, essence of the contract?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Time is of the essence of the contract?

Mr. STERRETT. Yes.

Mr. BLANTON. Time was of the essence of that contract with respect to the completion of those certain locks; is not that the fact?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be the fact, with respect to every single lock, that your company was behind to a considerable extent beyond the time specified in the contract? Was not that true in the case of every single one of them?

Mr. STERRETT. With the original contract that is correct.

Mr. BLANTON. So far as every contract is concerned, the original contract and every single supplemental contract, that is true, is it not?

Mr. STERRETT. No, sir.

Mr. BLANTON. It is not true?

Mr. STERRETT. No, sir.

Mr. BLANTON. Have you investigated that lately and looked through those matters?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be a fact that this commission found that to be the fact?

Mr. STERRETT. No; it did not.

Mr. BLANTON. You say you did not?

Mr. STERRETT. I say they did not.

Mr. BLANTON. They did not?

Mr. STERRETT. They did not.

Mr. BLANTON. Of course, that is your opinion. Then, if, as a matter of fact, the commission did find that to be true, you are incorrect in your statement?

Mr. STERRETT. I suppose that I am.

Mr. BLANTON. That is a logical conclusion. Mr. Sterrett, is it not a fact that this Government, under its contract, acting through the Isthmian Commission, reserved the right to delay any single part or all of this work whenever it deemed it necessary?

Mr. STERRETT. I think there was a provision to that effect.

Mr. BLANTON. There was a specific provision with reference to that matter with only this reserving clause: That for whatever time the Government delayed any matter that time of delay was to be added to your time within which the work was to be completed?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Did not the contract provide that there should be no damages whatever claimed by your company for the delays on the part of the Government in making investigations?

Mr. STERRETT. I can not answer that.

Mr. BLANTON. Are you not sufficiently familiar with your contract to answer that question?

Mr. STERRETT. I do not remember.

Mr. BLANTON. Is it not a fact that this Government in this contract which you signed provided that it should have the right to make any change which its chief engineer deemed necessary at any time? Is it not a fact, and also that you should charge no extra compensation for any such change unless you at the very time that change was proposed, and before the work was done, should make a claim and have it understood and agreed upon by the Government at that time? Did not the contract provide for that?

Mr. STERRETT. That is correct.

Mr. BLANTON. And did not the contract further provide that unless you saw fit to exhaust your remedy provided for in the contract that you waived any claim for damages by reason of any change? Does not the contract specifically provide for that?

Mr. STERRETT. I do not know whether it says we waive it, but we are allowed no claim.

Mr. BLANTON. You make a claim here for certain material which you say is a better class of material than you were obligated to furnish. Is not that the fact?

Mr. STERRETT. No; there was no claim about the class of material. The claim was about the class of workmanship.

Mr. BLANTON. Are you sure that part of your claim does not embrace the charge that you furnished material of a better class than was provided for in the specifications?

Mr. STERRETT. No, sir.

Mr. BLANTON. But you do say that you furnished a better class of workmanship?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Do you not know it to be the fact, Mr. Sterrett, that this contract provides that this Government is to have everything about this transaction first class, of the very best quality possible?

Mr. STERRETT. They are to have first-class workmanship.

Mr. BLANTON. There are two different clauses in the contract which specifically provide for that, for the very best.

Mr. STERRETT. First-class workmanship.

Mr. BLANTON. Does not that mean the best?

Mr. STERRETT. If they agree to pay for that.

Mr. BLANTON. Does not the contract call for the best?

Mr. STERRETT. No, sir.

Mr. BLANTON. It does not?

Mr. STERRETT. No, sir.

Mr. BLANTON. I do not want you to feel that I am antagonistic to you or your company, because whatever in this investigation the facts show the company is entitled to I expect to vote to the very last dollar and cent. I am merely trying to get the facts, and I want you to feel I am not antagonistic to you or your company, but am doing it merely from a sense of duty, and do not want to be in an attitude of trying to confuse you in any way.

Mr. Sterrett, is it not a fact that all along through this work from month to month certain changes did occur that were required, and did not your company at that time make any claim for extra compensation and by supplemental agreements such compensation was agreed to then and there, and they received payment for them from time to time?

Mr. STERRETT. No, sir.

Mr. BLANTON. There was nothing like that occurred? There was never any agreement as to any change in that contract for which you claimed and did receive compensation?

Mr. STERRETT. I do not remember.

Mr. BLANTON. Then I want to ask you why it was the Government paid, and you received, $300,000 more than the contract called for?

Mr. STERRETT. I explained that to you.

Mr. BLANTON. How?

Mr. STERRETT. On account of the weight running more than the original estimates.

Mr. BLANTON. Then you claim, if I understand you correctly, that all of this $300,000 that your company received more than the contract price was for extra weight of material? Do you claim that?

Mr. STERRETT. That is my remembrance of it. Of course, this is a pretty big contract, and there may be some changes I do not remember about, but I do not remember of any change in the contract. I think that is correct.

Mr. BLANTON. If you will study it carefully, you will find that you were incorrect about that. I just merely state that for your benefit. Is it not a fact that on no item which is embraced in your claim under consideration at this time did you at the time claim extra compensation and have it thrashed out at that time? Is not that a fact?

Mr. STERRETT. No; I think that is not correct.

Mr. EDMONDS. Make your question different.

Mr. BLANTON. I understand you to say, Mr. Sterrett, that there are some weight estimates in your claim under consideration where at the time you did claim compensation then and there, for which you have received no compensation?

Mr. STERRETT. Yes, sir; there are.

Mr. BLANTON. Please state to this committee what they are; please enlighten us on that question.

Mr. STERRETT. The water stops.

Mr. BLANTON. You did take them up at the time with the engineer and have an agreement and understanding in accordance with the specifications?

Mr. STERRETT. You did not ask that; you asked whether we claimed——

Mr. BLANTON (interrupting). I mean whether you complied with the terms of the contract by thrashing it out and having it understood at that time. Are there any points embraced in your claim that that occurred in connection with?

Mr. STERRETT. I think not.

Mr. LITTLE. What is the crucial point?

Mr. BLANTON. The contract provides that this company, where it claims extra compensation for any change made, or for any matter in connection with the construction of these locks, before it shall be entitled to any compensation other than that provided in the contract, must at the very time make a charge for extra compensation and damages to the chief engineer and have it thrashed out and agreed upon at that time; otherwise it shall be waived.

Mr. LITTLE. And that is in the contract?

Mr. BLANTON. And that is in the contract.

Mr. LITTLE. Do you claim that he concedes that he let that moment go by?

Mr. BLANTON. He says none of these items were claimed at that time and thrashed out.

Mr. LITTLE. Was there not in their opening statement some explanation of why that was done; and if so, I would like to have him explain that?

Mr. BLANTON. This is a very voluminous contract, but I would like to read certain portions of it into the record, to be taken in connection with this interrogation. This is the main contract that was signed and executed. It provides:

"It is further understood, covenanted, and agreed that the commission may delay the commencement of the erection of any or all of the gates and fixed parts for the reason that it has not completed the masonry or the fixed ironwork, or for any other reason it may deem sufficient to justify such action; and, if at any time the commission shall deem it necessary so to do, it may suspend the work of erection on any or all of the gates and fixed parts covered by this contract, in which case the contractor shall, without expense to the commission, properly cover over, secure, and protect such of the work as may be liable to sustain injury from the weather or otherwise. The commission may also direct the order in which the different gates and fixed parts in a given lock shall be erected, and it may require that any gate and the fixed parts necessary for same in any twin flight of locks shall be completely erected on or before a date fixed herein for the erection of any other gate in such twin flight of locks, and in such case the provisions of this contract relative to liquidated damages for delay shall subsist, take effect, and be enforceable in the same manner and to the same extent as if the date thus fixed was originally specified herein."

In that connection, is it not a fact that your company agreed that, for every day's delay over and above the time specified in the contract on any of these locks, they should respond to this Government in liquidated damages, so much for each day's delay?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. It goes on:

"*Provided*, That in all such cases the contractor shall be granted an extension of time within which to complete the erection of any or all gates so delayed in erection, equal to the period of any delay caused by any such delays in the commencement of erection, suspension of work, or change of dates, but he shall not be entitled to any payment as additional compensation or as damages on account of any such suspension of work, delay in commencement of erection, or change in time or order of erection of gates."

The whole compensation was to be an extension of time in which he was to complete the work.

"ART. III. It is further understood, covenanted, and agreed that all materials and workmanship"—

Both materials and workmanship, mind you—

"used and applied under this contract, in details and finish, shall be first class and of the very best quality."

I want you to catch that, members of the committee, that everything, material, workmanship, everything shall be first class and of the very best quality.

Mr. MERRITT. What does it say right after that?

Mr. BLANTON. I will read all of it. It says:

"And that all materials, both in the form of raw materials, and at every stage of manufacture, and all workmanship shall, from the beginning to the end of the work, be subject to the inspection of the chief engineer of the commission, or his authorized representative, and

that the commission's inspectors shall have free access at all time to any works where any raw materials or manufactured parts covered by this contract are located for the purpose of examining such raw materials or manufactured parts, and for the purpose of witnessing any and all processes of manufacture, and they shall have free access at all times to any and all parts of the erecting plant and all other parts of the work on the Isthmus."

There is a whole lot about inspection that you do not care about.

"It is further understood, covenanted, and agreed that the commission's inspectors may at any time reject any or all work or material not in accordance with this contract, and the right to reject any and all defective work or material shall continue until final inspection and acceptance and payment for material and work herein provided for, regardless of any prior inspection, payment, or act of the commission, and such defective or unsatisfactory material or work shall be promptly removed, remedied, or replaced by the contractor without expense to the commission."

Then there is a penalty for the contractor refusing to do that.

"ART. IV. The contractor shall prepare and submit to the commission in duplicate all necessary working drawings"—

and so on. Then it says:

"The approval of such drawings shall be taken as certifying only to the general agreement of the working drawings with the contract plans as to arrangement and sizes of the principal members, but shall not relieve the contractor from full responsibility for the correctness of his shop drawings, for errors in details, such as rivet spacing, clearances, packing of plates, etc., which might interfere with either the strength or appearance of the finished work or with accurate and speedy erection.

"The contractor shall be solely responsible"—

and so on. There are two other clauses:

"The commission, however, reserves the right to make any minor changes it may see fit to make in the original contract drawings, the working plans, and specifications for material and workmanship prior to the final acceptance of any part of the finished material: *Provided, however*, That for any extra expense incurred by the contractor for material furnished or ordered, drawings made, or work executed prior to the time of receiving notice of such change, the contractor shall be reimbursed at reasonable rates to be fixed, in any case, by agreement between the contracting parties."

Notice particularly this clause:

"Any claim for such changes shall be made by the contractor at the time of the change or no allowance will be made or money paid on account of the same. The contractor shall also furnish the commission"—

and so on. That is brought forth in an additional article in this contract specifically:

"ART. X. The contractor agrees to make no claim for compensation for any work, labor, or materials over and above that specified or called for in the contract, specifications, and plans, unless same shall have been agreed upon in writing by the parties to the contract before such work shall have been commenced or the labor or materials furnished."

Mr. BLANTON. I want to give you an opportunity to get yourself right in the record, because I do not want to take advantage of you in your absence when we take the matter up. You stated in answer to my question that all of this $300,000 extra compensation was for extra weight in parts, and that at no time did you make extra claims, and that they have been adjudicated and agreed upon and you have received compensation for them. I want you to get right on that. I have here before me copies of supplemental agreements certified to Mr. J. L. Baity, who is Auditor for the War Department, which are probably familiar to you, and some of them are known as supplemental contract, dated June 15, 1911. This contract was dated June 21, 1910?

Mr. STERRETT. Yes, sir.

Mr. BLANTON. Here is a supplemental contract of June 15, 1911, a year after the original contract. Here is another of December 16, 1911, which is nearly a year and a half after the original contract. Here is a supplemental agreement of February 7, 1912; here is another of June 13, 1912; here is another of January 14, 1913; here is another one of May 20, 1913, nearly three years after the original contract. Do you still maintain before this committee that you did not raise claims and have supplemental agreements and receive certain extra compensation under those? Do you still maintain that before the committee, after I call your attention to these?

Mr. STERRETT. The best I can say is that I have answered as far as I know. I think Judge Harrah can answer that.

Mr. BLANTON. Judge Harrah is supposed to represent the Government, and I am asking you as one of the interested parties whose claim we have up before us for consideration. You are asking us to take a million dollars of the people's money in time of war out of the Treasury and pay you on the contract, and I am interrogating you about that claim.

Mr. STERRETT. All I can tell you with reference to those supplemental agreements is what I have answered.

Mr. BLANTON. I do not believe under the terms of this contract that this company is entitled to one single dollar. I think that when they were paid the $300,000 they were paid more than the contract price, and they were paid every cent that was due them.

The full contract compensation was $5,374,474.82, the compensation provided for in the contract, the amount certified to by J. L. Baity, Auditor for the War Department, who says:

"In compliance with your indorsement of the 23d instant, on letter of Hon. THOMAS L. BLANTON, M. C., of the Committee on Claims, dated April 22, 1918, received at 2 p. m., the 24th instant, and which is returned herewith, requesting statement of total amount paid the McClintic-Marshall Construction Co. by the Isthmian Canal Commission under contract dated June 21, 1910 (W. O. 23444), for constructing lock gates for the Panama Canal, and supplemental contracts thereto, and copies of the contracts and circular, I have the honor to report that the total amount paid the contracting company under said contracts as shown by vouchered payments in this office was $5,753,725.63, from which may be deducted for one shipment lost, which was refunded and later replaced, $77,538.66, leaving net amount paid on this contract of $5,676,186.97."

Now, taking the contract consideration of $5,374,474.82 from the net amount paid on this contract of $5,676,186.97, there is a balance of $301,712.15 over and above the contract consideration that was paid.

I shall endeavor to prevent any of the above claims being passed, and I will appreciate my colleagues giving same their careful consideration, so that they may vote intelligently upon such bills should they be called up for passage.

Omnibus War-Claim Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. GORDON. Mr. Speaker, under the unanimous consent granted to me I print in the RECORD the following correspondence relative to the omnibus war-claims bill, and also the following decision of the Supreme Court of the United States, in relation to the same subject, found in Two hundred and sixteenth United States, page 494:

CLEVELAND, *February 6, 1919.*

Congressman WILLIAM GORDON,
Washington, D. C.

DEAR SIR: There will be introduced in Congress in the near future a bill affording relief to contractors who had contracts for the erection of Federal buildings in different parts of the country at the time war was declared against Germany. Because of war conditions work on these buildings was seriously interfered with by the Government, and they were completed, or are being completed, at a heavy financial loss to the contractors.

This work was considered nonessential; and as restrictions were placed upon all building materials by the War Industries Board for so-called nonessential work, progress on this work was impossible.

In addition to this, many of these buildings were adjacent to the large cantonments, nitrate plants, shipyards, etc., which was necessary construction brought on by war conditions, requiring all available labor.

The object of the bill is to reimburse these unfortunate contractors for actual increased costs occasioned by the activities of the Government during the war, and is not intended to allow them any profit that might have accrued under ordinary conditions.

The Government is receiving these buildings, even if the relief is granted, at a greatly reduced cost, and the relief may save many reputable contractors from bankruptcy.

We would ask that you, in the interest of all contractors and the construction industry as a whole, consider this bill most seriously. We believe that the extensions granted to contractors involved in this work are only fair and equitable. The contractors came to the support of the Government in the war emergency most loyally and handled the problem put to them in a way that excited the admiration of the entire country. Those who were not employed on Government work did not quibble because of their total inactivity, due to the total stoppage of all nonessential work by the Government.

The Government looks to the building industry first to secure a resumption of peace-time business. The efforts of every locality are now devoted to stimulate building construction.

The building industry always has been the thermometer of the condition of the country. An industry of such importance is worthy, we feel, of your support and assistance, required now because of the development of conditions absolutely unforeseen.

Very truly, yours,

THE CROWELL-LUNDOFF-LITTLE CO.
A. R. MCCREARY,
Vice President and General Manager.

FEBRUARY 9, 1919.

The CROWELL-LUNDOFF-LITTLE CO.,
Euclid Avenue at Fifty-seventh Street,
Cleveland, Ohio.

GENTLEMEN: I have your letter of the 6th instant, in which you say that a bill will be introduced affording relief to contractors on Government work who have been interfered with by the Government since war was declared against Germany.

The bill will receive my careful consideration, but I would not be entirely frank with you if I did not say that in my judgment no legislation on such a subject of the "omnibus" variety, that is, covering all Government contracts, ought to be enacted by Congress, and in my opinion each case of the kind referred to by you ought to be presented in a separate bill and the facts and circumstances surrounding it considered on their merits.

The principal reason, which will readily occur to those familiar with our form of Government, is that there is no legal basis for any such claims, and a law which would be just to the contractor and to the Government in one case might be wholly inappropriate and unjust in another; furthermore, blanket authority to settle and adjust such claims would involve the delegation by Congress to some executive department or to some commission or person a function which belongs only to Congress and might result in payment out of the Public Treasury of large sums in damages resulting from the exercise of unauthorized, arbitrary, or unlawful powers by executive officials and others assuming to act in their name or behalf.

Not all loss and damage resulting from war can properly be made the basis of a claim against the Public Treasury.

The House of Representatives recently rejected by a vote of more than 3 to 1 one of these omnibus bills authorizing one of the executive departments to settle, adjust, and pay alleged claims of some citizens who had engaged in the business of opening and operating mines for the production of certain minerals. It appeared that one of the departments, anticipating a shortage in these minerals, called a convention last summer of those owning or controlling lands upon which they could be found, and as a result of this conference legislation was recommended and enacted by Congress authorizing the President, upon a finding by him that a shortage actually existed in any of these minerals, to contract for the opening and operation of mines for their production, and authorized the appropriation of $50,000,000 for the purpose.

No shortage was ever found or proclaimed by the President to exist, and for that reason the legislation never became operative; but a large number of claims have been presented for producing, or attempting to produce, these minerals, and it was proposed to give blanket authority to one of the executive departments for the allowance and payment of these claims.

Some of them may be meritorious, and if they are the claimants may present them on their merits by separate bills, and they will no doubt be allowed and paid; but no general legislation ought to be enacted to permit the payment of claims of this character.

In the case of the United States against Behan (110 U. S., 338) the Supreme Court of the United States announced the correct and only safe policy of those who assert a contract with or claim against the Government in the following words:

> It is the duty of persons dealing with public officials to inform themselves of the power of such officials to bind the Government.

Last summer the War Department caused the arrest of many thousands of citizens in the United States in a general man hunt for persons who had evaded the draft law by failing to register. A few hundreds of them were found to have violated the law, but all were imprisoned and detained until they could prove their innocence.

These arrests were in direct violation of the Constitution of the United States, which prohibits the seizure and imprisonment of a citizen except upon warrant, supported by oath or affirmation to facts showing probable cause. Every person, with the possible exception of the soldiers used, connected with these unlawful arrests, including the officials who ordered, procured, or induced them to be made, is liable in damages on a suit for false imprisonment to these thousands of citizens so unlawfully arrested and imprisoned. Would anyone seriously contend that damages to these citizens, so unlawfully arrested and imprisoned, should be paid out of the Public Treasury because men holding public office ordered or were concerned in them?

The Government is not liable, either legally or morally, for the unlawful acts of public officials; and to condone such official misconduct by the payment of damages out of the Public Treasury to the persons injured would lend aid and encouragement to violence and public disorder on the part of public officials, and would be contrary to public policy.

The political party which will come into power in both branches of Congress on March 4 next has a very strong predilection for the creation of commissions. When men in public office desire to evade official responsibility for neglect or misconduct affecting the public interests they usually appoint a commission to absorb and divide the odium.

Resort to commissions is generally usual when it is desired to pay out public money on doubtful legal ground, and damage claims arising out of a state of war are the fruitful source of these commissions, and I am very much opposed to them and to the delegation of official authority generally.

For these reasons and others not enumerated I shall oppose any bill conferring authority on any commission or person to allow and pay war claims against the Government.

If necessary to ascertain the facts in a given case, it may be sent to the Court of Claims, created by Congress for that purpose.

Yours, truly,

WILLIAM GORDON.

[William Cramp and Sons Ship and Engine Building Company *v.* United States. Appeal from the Court of Claims. No. 92. Argued January 19, 20, 1910. Decided February 28, 1910.]

Executive officers are not authorized to entertain and settle claims for unliquidated damages.

The Secretary of the Navy had power under the acts of June 10, 1896, c. 361, 29 Stat., 378, authorizing the building of the *Alabama*, and of August 3, 1886, c. 849, 24 Stat., 215, to make a change in the terms of the contract requiring a final release to be given so that such release should not include claims arising under the contract which he did not have jurisdiction to entertain, and under a proviso in the release to that effect the contractors are not barred from prosecuting their claim before the Court of Claims for unliquidated damages.

In this case a provision in a Government contract having been treated by both parties as impracticable and therefore waived, the Secretary had power to change the terms of the release required by the contract, and leave the claims of the contractor to be presented to the Court of Claims. (Cramp & Sons *v.* United States, 206 U. S., 118, distinguished.)

Under the Tucker Act the Court of Claims has jurisdiction of a claim for unliquidated damages under a contract for building a war vessel, where a release had been given by the Secretary of the Navy with a proviso that it does not include claims arising under the contract other than those of which the Secretary has jurisdiction.

43 C. Cl. 202, reversed.

The facts are stated in the opinion.

Mr. James H. Hayden, with whom Mr. Robert C. Hayden was on the brief, for appellant.

The contract did not obligate the claimant to relinquish the claim in suit, or any other claims that might accrue to it for breach of the contract by the United States. The contract itself was not a release of such claims. The acceptance by the claimant of the last payment did not create a bar to the claimant's right of action for the breach committed by the United States.

Performance by the Government of its covenant to supply armor failing, the builder's agreement to release went with it. "If part of the consideration agreed on be not performed, the whole accord fails." (City of Memphis *v.* Brown, 20 Wall., 289; Bank *v.* Leech, 94 Fed. Rep., 310; 1 Smith's Leading Cases, 5th Am. ed., 445.)

The elaborate and tautological expressions contained in the fifth paragraph of the release do not overcome the particular words of limitation contained in the proviso, which limited the operation of the release to claims which the Secretary of the Navy had jurisdiction to entertain. (Texas &c. R. Co. *v.* Dashiell, 198 U. S., 521.)

The Secretary of the Navy and the Cramp Company were correct in the opinion expressed by the former and acquiesced in by the latter that the claim being one for unliquidated damages is of a kind the department has no authority under the law to entertain. By the saving clause which was finally included in the release they adopted apt words to carry out their purpose to leave the claim in suit open and unsettled. Executive officers of the Government can not entertain such claims, even when they grow out of contracts made by them. (Op. Atty. Gen., ed. 1841, 882. See also McKee *v.* United States, 12 C. Cl., 514, 555; Power *v.* United States, 18 C. Cl., 263, 275; McClure *v.* United States, 19 C. Cl., 18, 28; Brannen *v.* United States, 20 C. Cl., 219, 223; Pneumatic Gun Carriage Co. *v.* United States, 36 C. Cl., 627, 630.)

To give the release or the claimant's acceptance of the last payments the effect claimed for them by the Government and given them by the court below would be to use them in a way not justified by the terms of the release or intended by the parties and would allow the Government to commit a fraud. (Parmlee *v.* Lawrence, 44 Illinois, 405, 409; Fire Ins. Assn. *v.* Wickham, 141 U. S., 564, 576, 582.) If the terms of the release were obscure, which they are not, it would have to be interpreted in such a way as to carry out the intent of the parties, to be ascertained from the correspondence which passed between them. (United States *v.* Peck, 102 U. S., 64; Merriam *v.* United States, 107 U. S., 437, 441; United States *v.* Gibbons, 109 U. S., 200, 208; Chicago &c. R. Co. *v.* Denver &c. R. Co., 143 U. S., 596, 609; Nash *v.* Towne, 5 Wall., 689, 699.)

The Secretary had legislative authority to make a contract for the construction of the vessel in question, and while this was limited in some particulars, it was broad. He was as free to exercise his judgment in the modification of the contract as to the release as he was to make the contract in the beginning. (United States *v.* Barlow, 184 U. S., 123; Solomon *v.* United States, 19 Wall., 17; Redfield *v.* Windom, 137 U. S., 636.) This case is not governed by United States *v.* Wm. Cramp & Sons, 206 U. S., 118, known as the "Indiana" case.

It was the builder's right and obviously it was for the best interest of the United States, as well as its own, to proceed with the work as best it could, complete it, and sue for damages caused by the breach. (2 Parsons on Contracts, 679; Clark *v.* United States, 6 Wall., 543; United States *v.* Speed, 8 Wall., 77; United States *v.* Behan, 110 U. S., 338, 344; Figh *v.* United States, 8 C. Cl., 319; Myerle *v.* United States, 33 C. Cl., 1; Cornwall *v.* Henson, 2 Ch. (1900), 298, 300; Hudson on Building Contracts, 1907, 303, 524; Stubbings Co. *v.* Exposition Co., 110 Ill. App., 210; Nelson *v.* Pickwick Co., 30 Ill. App., 333; Del Genovese *v.* Third Ave. R. R. Co., 13 N. Y. App. Div., 412; S. C., 162 N. Y., 614.)

Mr. Assistant Attorney General John Q. Thompson and Mr. Franklin W. Collins for the United States:

The proviso is not sufficient to confer upon appellant right of recovery.

The failure of the delivery of the armor by the Government within the times and in the order required to carry on the work properly had been fully provided for in the contract in other ways and had nothing whatever to do either as consideration or otherwise with the release which was required by the contract. While the contract itself may not be a release of such claims as those in suit, it nevertheless provided for a release of all claims growing out of the contract. (Texas &c. R. Co. *v.* Dashiell, 198 U. S., 521.)

While the Secretary of the Navy may have power to direct the modification of a contract during the progress of the work, he has not after his discretionary powers have ceased and only a plain ministerial duty remains. The Secretary was clothed with authority to close the contract in a prescribed manner. He could not make the final payment until a full and final release of all claims was given by the contractor, neither could he modify or change the form of release required by the contract; but this does not conflict with the exercise of his discretionary powers in respect to changes and modifications while the work was in progress.

The courts will not assume to make a contract for the parties which they did not choose to make for themselves. (Morgan County *v.* Allen, 103 U. S., 515; Hudson Canal Co. *v.* Penna. Coal Co., 8 Wall., 276; Gavinzel *v.* Crump, 22 Wall., 308; Robbins *v.* Rollins, 127 U. S., 633; Culliford *v.* Gonillo, 128 U. S., 158); nor is the court at liberty either to disregard words used by the parties or to insert words which the parties have not made use of. (Harrison *v.* Fortlage, 161 U. S., 63; Calderon *v.* Atlas Steamship Co., 170 U. S., 280.)

Contracts are to be construed according to the intention of the parties as expressed therein, and the courts will disregard the motives, the purposes, or the expectations of a party thereto if these are not in harmony with the plain import of the words used. (See 54 Texas, 65; Clark *v.* Lillie, 34 Vermont, 405; Noyes *v.* Nichols, 28 Vermont, 159; Conn *v.* Lewis, 15 Kentucky, 66; Hildreth *v.* Forrest, 27 Kentucky, 217; Shultz *v.* Johnson, 44 Kentucky, 497; Salmon Falls Mfg. Co. *v.* Portsmouth Co., 46 N. H., 249.)

Mr. Justice Brewer delivered the opinion of the court.

On September 24, 1896, the appellant entered into a contract with the United States for the building of an ironclad, afterwards known as the *Alabama*. The contract was authorized by act of Congress of June 10, 1896, c. 399, 29 Stat., 361, 378. Under this act and that of August 3, 1886, c. 849, 24 Stat., 215, to which it refers, the Secretary of the Navy was charged with the duty of supervising the contract on behalf of the United States. After the completion of the vessel and the payment of the stipulated amount there was something asserted to be due to the building company as unliquidated damages on account of extra work caused by the United States, for which it brought suit in the Court of Claims. That court found the amount to be $49,792.66. Relying upon the decision of this court in a case between the same parties for also the building of an ironclad, the *Indiana* (United States *v.* Wm. Cramp & Sons Co., 206 U. S., 118), the Court of Claims rendered judgment for the defendant. The controversy in this, as in the prior case, turns upon the effect of a release. In that it was in this form:

"The William Cramp and Sons Ship and Engine Building Company, represented by me, Charles H. Cramp, president of said corporation, does hereby for itself and its successors and assigns, and its legal representatives, remise, release, and forever discharge the United States of and from all and all manner of debts, dues, sum and sums of money, accounts, reckonings, claims, and demands whatsoever, in law or in equity, for or by reason of, or on account of, the construction of said vessel under the contract aforesaid."

Here the same terms of release are used, but they are followed by this proviso:

"*Provided*, That this release shall not be taken to include claims arising under the said contract other than those which the Secretary of the Navy had jurisdiction to entertain."

That release was executed on May 18, 1896; this on April 19, 1901. We held that the former release settled all disputes between the parties as to claims "under or by virtue" of the contract. Evidently the proviso was incorporated with the purpose of accomplishing some change in the effect of the release. That purpose is disclosed by prior correspondence. On February 13, 1901, the Secretary of the Navy, answering a letter enclosing a claim for extra work of $66,973.23, writes:

"I have to state that while, from a casual consideration of the matter, it might seem proper that the papers should be referred to the bureaus concerned for examination and report, it appears, after a careful consideration of the subject, that the claim, being for unliquidated damages, is of a kind the department has no authority under the law to entertain."

To which the company replied, suggesting this proviso:

"*Provided*, That nothing herein shall operate as a waiver of this company's right to sue for and recover judgment in the Court of Claims for damages incurred or losses sustained by the company in the prosecution of the contract work which were occasioned by delays or defaults on the part of the United States"—

and adding, in response to the statement of the Secretary—

"that the claim being for unliquidated damages, is of a kind the department has no authority under the law to entertain"; that the act of March 3, 1887, c. 359, 24 Stat., 505, known as the Tucker Act, vests the Court of Claims with jurisdiction to hear and determine such claims. Some further correspondence followed between the parties, which culminated in a letter from the company, enclosing the release as finally executed, and saying:

"This (release) contains a clause which excepts from the operation of the release claims arising under the contract, which you, as Secretary of the Navy, had not jurisdiction to entertain."

It is well understood that executive officers are not authorized to entertain and settle claims for unliquidated damages. Opinion of Attorney General Taney, in which he says:

"If the Navy commissioners have refused to take the bread from Mr. Stiles, according to their contract, when he had prepared it of the quality called for by the agreement, it is not in the power of the executive branch of the Government to liquidate and pay the damages he may have sustained. If he has been damnified by the officers of the Government, Congress alone can redress the injury." (Opinions, ed. 1841, p. 882; McKee *v.* United States, 12 C. Cl., 504, 555–558.)

In Power *v.* United States (18 C. Cl., 263, 275), the court thus discussed the matter:

"The Secretary of the Interior concurred in the opinion that the claimant was equitably entitled to damages and that he should be invited to furnish proof of the extent of his injury, but did not agree that the damages could be adjusted in the department. He proposed to submit the case to Congress.

"In this conclusion that the department had no authority to settle such a claim the Secretary was right. The laws regulating the payment of money from the Treasury, in the current business of the Government, are reviewed at length by our brother Richardson in his opinion in McKee's Case (12 Ct. Cl. R., 555). He shows clearly that the laws provide only for the settlement and payment of accounts. An account is something which may be adjusted and liquidated by an arithmetical computation. One set of Treasury officers examine and audit the accounts. Another set is entrusted with the power of reviewing that examination, and with the further power of determining whether the laws authorize the payment of the account when liquidated. But no law authorizes Treasury officials to allow and pass in accounts a number not the result of arithmetical computation upon a subject within the operation of the mutual part of a contract.

"Claims for unliquidated damages require for their settlement the application of the qualities of judgment and discretion. They are frequently, perhaps generally, sustained by extraneous proof, having no relation to the subjects of the contract, which are common to both parties, as, for instance, proof concerning the number of horses and the number of wagons and the length of time that would have been required in performing a given amount of transportation. The results to be reached in such cases can in no just sense be called an account, and are not committed by law to the control and decision of Treasury accounting officers.

"As is well said by Judge Richardson, in the opinion already referred to (12 C. Cl., 556), this construction 'would exclude claims for unliquidated damages founded on neglect or breach of obligations or otherwise, and so, by the well-defined and accepted meaning of the word "account" and the sense in which the same and the words "accounting" and "accounting officers" appear to be used in the numerous sections of the numerous acts of Congress wherein they occur, it would seem that the accounting officers have no jurisdiction of such claims except in special and exceptional cases, in which it has been expressly conferred upon them by special or private acts. And such has been the opinion of five Attorneys General—all who have officially advised the executive officers on the subject. Attorney General Taney, in 1832, whose opinion is referred to by his successors in office; Attorney General Nelson, in 1844 (4 Opins., 327); Attorney General Clifford, in 1847 (4 Opins., 627); Attorney General Cushing, in 1854 (6 Opins., 524); and Attorney General Williams, in 1872 (14 Opins., 24). And the same views were expressed by this court in 1866 (Carmack et al. v. United States, 2 Ct. Cl. R., 126, 140).' (McClure v. United States, 19 Id., 28-29; Brannen v. United States, 20 Id., 219, 223-224; 4 Opin. Attorneys General, 327-328; Id., 626, 630.)"

But it is contended that the contract, independently of the release, provided for a settlement of all matters growing out of the delay in the completion of the vessel, although this is in apparent conflict with the opening statement of the Government in its brief, for there it says: "The issue here is whether the proviso in that release saves the contractor from the final and complete surrender of his right to recover on the claims set out in the petition." But this, although it indicates the views of the Government of the question at issue, does not preclude it from presenting other matters, and it insists that by the third clause in the contract the vessel, when completed without the armor, was to be subjected to a trial provided for in a subsequent clause of the contract, and a board of naval officers appointed by the Secretary of the Navy was to determine the deduction from the total price of the vessel under the contract if completed with armor. It further contends that by the ninth clause of the contract the matter of possible delay was recognized by the Secretary of the Navy, and his determination as to the effect thereof was to be conclusive. Now, it may be said that both the contractor and the Government had the right to insist upon the delivery of the vessel when it was completed without the armor and that the deduction in price should then be settled by the board of officers appointed by the Secretary. It may also be conceded that the Government could have insisted upon a release in the form specified in the contract, but neither the company nor the Government insisted on the delivery of the vessel at the time it was launched and before it was armored. The Government left the vessel with the company, waiting for armor to be put on—armor which it had not then been able to secure and tender to the company—and when the question arose as to a settlement it did not insist upon a release, as specified in the contract. This contract was plainly treated by both parties as impracticable, and therefore waived. Evidently from his letter of February 13, 1901, the Secretary was of the opinion that, equitably, there was something due to the company, and yet, realizing that that question was not one for his determination, in order that full justice might be done, he consented to a change in the terms of the release, and this he had power to do. (Salomon v. United States, 19 Wall., 17; United States ex rel. Redfield v. Windom, 137 U. S., 636; United States v. Barlow, 184 U. S., 123, 135.)

By the Tucker Act jurisdiction is conferred upon the Court of Claims "to hear and determine * * * all claims * * * for damages, liquidated or unliquidated, in cases not sounding in tort."

It results therefrom that a release executed in accordance with the terms of the contract would have extinguished all claims of the company against the United States growing out of the contract (206 U. S., 118); that the Secretary of the Navy had no power to pass upon and adjudicate claims for unliquidated damages; that he had power to accept a release such as was given, and that the proviso left for determination in the courts claims for unliquidated damages growing out of the contract; that under the Tucker Act the Court of Claims had jurisdiction to inquire into and determine claims for unliquidated damages, and that upon the facts found there is due to the company from the United States for extra work caused by the United States the sum of $49,792.66.

The judgment of the Court of Claims is reversed and the case remanded to that court with instructions to enter judgment for that amount (216 U. S., 494).

Cultivation of Clay Soils.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. GORDON. Mr. Speaker, under the leave granted to me I print the following correspondence relative to the cultivation of clay soil:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF SOILS.
Washington, D. C., February 3, 1919.

Hon. WILLIAM GORDON,
House of Representatives, Washington, D. C.

SIR: Your letter of January 9, requesting that information relative to the improvement of clay soils be sent to Mr. L. H. Reed, Cleveland, Ohio, was duly received. I inclose herewith a copy of our letter to your constituent.

Very truly, yours,

MILTON WHITNEY,
Chief of Bureau.

(Inclosure.)

FEBRUARY 3, 1919.

Mr. L. H. REED,
3315 West Ninety-seventh Street, Cleveland, Ohio.

DEAR SIR: Your Congressman, Hon. WILLIAM GORDON, has requested that you be given information regarding the improvement of clay soils. I regret that we have no publication dealing specifically with this subject, but in a general way I may say that while in many cases clay soils are extremely difficult to till and require more artificial drainage lines to the given area than the loams and sandy loams, they are among the most productive soils in the world when properly and intelligently handled. Clay soils are usually improved by the introduction into them of an abundance of organic matter, applied either in the form of stable manure or as green crops turned under. Such legumes as clover, field peas, vetch, or even rye, are used for green manuring. The application of 400 or 500 pounds of slaked burned lime to the acre is of advantage in connection with the plowing down of green matter, operating to hasten decomposition and at the same time to correct the acidity of the soil due to the effect of the green matter. When the soil is known to be previously acid, a ton of lime to the acre will in general not be too much. The presence of the vegetable matter not only furnishes plant food but serves to break up the dense structure of the soil and make it more loamy and porous.

Unless there is sufficient slope to the land to provide for adequate surface drainage it is especially essential that tile drains or open ditches be installed, as otherwise the subsoil soon becomes water-logged on account of the slowness with which the excess of water escapes through the relatively dense, impervious material. Even moderate rolling land oftentimes is benefited by tile drainage.

In the tillage of clay land the plowing should be fairly deep or the subsoil plow should be used to break up the deeper soil and subsoil material. The depth of plowing should not be increased more than about an inch at any one time, however, as raw subsoil is unfitted to sustain plant life. It requires to be weathered and mixed with organic matter and the necessary bacterial organisms allowed to develop before a normal state of fertility can be said to exist. Considerable care must be exercised in the tillage of clay soils so that they will work up in a fairly mellow condition without the formation of too many intractable clods. They should be worked when in a state of moisture between that when the material is wet enough to be greasy in character and so dry as to resist the pulverizing action of farm tools. The range in point of time when clay soils can be successfully worked is much narrower than in the case of loams and lighter textured soils.

Clay soils are most successfully used for the production of small grains, as wheat and barley, and for such hay grasses as timothy and red top. Among truck crops cabbage does well on heavy soils.

Very truly, yours,

_____,
Chief of Bureau.

EXTENSION OF REMARKS

OF

HON. JOHN JACOB ROGERS,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. ROGERS. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I desire to print a description written by my colleague, Hon. WILLIAM H. CARTER, of the journey to France and the battle fields of the war, from which he returned a fortnight ago. I believe that his observations and conclusions are most valuable and will be of great interest not only to the membership of this House but to the general public. They represent the views of one who had exceptional opportunities, and who brought to the opportunities the trained powers of a skilled observer.

TRIP OF HON. WILLIAM H. CARTER, OF MASSACHUSETTS.

[Principal points; Arrival of President Wilson at Paris; visit to the Twenty-sixth Division; visit to home of Joan of Arc; visit to St. Mihiel and Seichprey; visit to Verdun; trips around Paris; visit to Tours; salvage plant, Gieves, and aviation center; visit to Bordeaux, docks, warehouses, hospitals; visit to the embarkation camp at Bordeaux.]

In order to gain some first-hand information regarding the tremendous projects of the American Expeditionary Forces, I made the trip to France. I found upon my arrival that it was a physical impossibility to visit all of the activities of our Government abroad, and for that reason it was necessary for me to limit my trip to some of the largest projects. I was especially interested in going over the ground where the Twenty-sixth Division had fought. This division, made up of the National Guard from New England, of which hundreds of boys came from my own congressional district, has more than upheld the traditions of that section of the country. One of the highest tributes that can be paid this division is that the Germans considered it one of the two best divisions that it fought against, and the French have announced that it is one of our four best divisions in France. This was the first complete division to arrive in France.

I was accompanied on my trip after my arrival in Paris by my former secretary in Washington, Jack S. Connolly, a member of the Twenty-sixth Division, who volunteered and served with that division at St. Mihiel and Verdun, but who at the end of the war was sent to Bordeaux to do some special work for the War Department.

I was in Paris the day that President Wilson arrived and witnessed the welcome that was given him. Early in the morning the crowds began to gather in the city. A holiday had been proclaimed all over France, and everywhere the American flags were mingled with the tricolor of France, and huge signs of "Vive Wilson" were erected in all sections of the city. Swarms of Americans filled the boulevards and mingled with their brethren of the allied countries.

It is very hard to estimate the number of visitors who thronged into Paris to witness the President's arrival. They were gathered by tens of thousands along the streets leading from the station to his hotel. Groups of men and boys even climbed trees in order to get a view of our Chief Magistrate, and in windows along the route every available inch of space was taken up. From the moment the President's train arrived until he reached his hotel there was a continued firing of salutes from the big guns. Small American flags were worn on the coats of everybody.

One significant sight was at the Place de la Concorde, where the captured cannon had been placed. Young girls climbed on these guns, and waving American flags presented a scene not to be forgotten. As the President passed the crowd cheered and waved handkerchiefs and banners. Whistles were blown, bands played, and the President was given a welcome by the French people as only Paris can give.

All day long the people celebrated and enjoyed themselves. Probably the most interesting to an American were the sights on the boulevards that evening. Thousands of men, women, and children thronged the streets. Games were played, and the favorite stunt seemed to be for the women to kiss all Americans. They insisted on kissing them twice, once on each cheek. A staid old American colonel seemed to resent a number of French girls stopping him, and he was immediately pounced upon by 20 young ladies, and before he was through he was properly kissed. Scenes of this sort were common that night. Cannon were taken from the Concorde and pulled through the boulevards by the soldiers. On each gun were probably a half dozen pretty girls singing and shouting and waving banners. Every time a taxicab came in sight the crowd gathered around and insisted upon rocking it until the occupants were given a good shaking up or were forced to walk.

One of the things that I noticed especially was that, unlike the celebrations in our own country, our American men and officers behaved themselves and there was no drunkenness. Our soldiers have been permitted to buy light wines and beers during certain hours of the day in France, and it is an established fact that they have not taken advantage of this privilege.

The French celebrations are somewhat different from our own, in that they have no bands of music to keep cheering them up, but everyone enters into the carnival spirit of the occasion.

WITH THE BOYS OF THE TWENTY-SIXTH.

I left Paris the next day by train, and after a five-hour trip arrived at Chaumont, the headquarters of the American Expeditionary Forces. After spending a few hours in this city we started for Montrony-le-Roi, the headquarters of the Twenty-sixth Division. After considerable difficulty we located the division headquarters about dark and made arrangements for our visit the next day. We motored to Neufchateau, where we spent the night at the visitors' house. Neufchateau and vicinity was the training area of the Twenty-sixth Division when it arrived in France in September, 1917, and is well known to every member of the Yankee division.

The next morning we started early for the headquarters of the Twenty-sixth and arrived shortly before 11 o'clock. We visited the headquarters and had a very pleasant chat with Col. Stevens, the adjutant. We also met Chaplain O'Connor, as well as a number of the boys. Gen. Hale, the commanding general, was out, as was Col. Major, the chief of staff. We went down and visited the boys at the headquarters troops. They were commanded by Lieut. Mandell, of Boston, and I found a large number of old Battery A boys. We met Sergt. Thomas Daly, of Dorchester, the top sergeant, Sergt. Ronald Hersig, and many of the boys.

The men were situated in a valley, and the weather conditions were very bad. The mud was over one's ankles, and it rained very hard during my visit. The boys appeared to be in good spirits, but every single one wants to get back, now that the war is over. They all spoke very highly of Gen. Edwards, as well as Cols. Logan and Sherburne. In many of the barracks that I visited I found Gen. Edwards's pictures, as well as quotations from the Boston papers containing his speech in which he outlined the history of the division.

The boys are required to drill about four hours a day now that the armistice is signed. This they seemed to think was rather hard, on account of the weather, and especially after what they have been through.

I drove out to Aquiville and there met the old Company C boys from Newton. They all were anxious to learn the news from back home, and they gave me a real welcome. I was invited to speak to the company but had to proceed on to Forcey, where I met the Company L boys from Natick. I found Corpl. Hall, the company clerk, and in a few minutes he gathered about 40 boys from my district, to whom I made two short speeches, one inside the company office and another outside. They then produced a number of interesting souvenirs which they had captured from the Germans and showed them to me with much pride. We talked for nearly an hour, and at the finish they gave me three rousing cheers and said that they would see me on Main Street, Natick, very soon. They are all anxious to get back home.

I motored back to the headquarters troop, where I had dinner with the boys. I find that this outfit probably has the best "ents" in the division. They feed about 500 men at each meal, and the cooks certainly do themselves proud in the manner in which they prepare their food.

I found that there was considerable sickness among the boys, caused by the cold weather, but this, I found, was only natural under the climatic conditions.

I motored back to Neufchateau, where I spent the night. The next morning I started out to visit the Artillery organization, but found that they were moving. However, I located the headquarters of the One hundred and first and met Capt. Needham and some of the other company officers. For miles along the roads I passed the boys marching to trains on their way to join the rest of the division in the area that has been selected for them near Montrony-le-Roi.

I met quite a few of the boys from the One hundred and second. I also met small groups of boys from the One hundred and third and had a very pleasant chat with Capt. Franklin E. Allen, the personnel officer of that organization. The boys were very much excited over the fact that President Wilson had

promised to eat his dinner on Christmas Day with the Twenty-sixth; and, of course, this made them all happy. To be selected as the division to entertain the Commander in Chief was a great tribute to this organization.

I found upon my visit that the Twenty-sixth Division is noted throughout France for its wonderful work. Everywhere one goes one hears of the work done by these boys, the bravest and gamest lot of men that ever represented any division. The French are high in their praise for the Twenty-sixth.

I was able to gather some interesting statistics regarding this organization. I find that in all they captured 3,149 men and officers and more than 200 pieces of artillery. The losses in this division were especially heavy. The total casualties amount to 11,955 men up to December 9. Of this number we lost 100 officers and 3,524 men wounded seriously, 78 officers and 1,652 men killed outright, and 111 officers and 2,708 men wounded slightly. We had 113 officers and 3,250 men gassed and 10 officers and 273 men missing in action. We also lost 9 officers and 127 men by being taken prisoners by the Germans. During the Chateau-Thierry drive the Twenty-sixth Division advanced 17½ kilometers. At the St. Mihiel salient the division advanced 14 kilometers and at the Verdun sector advanced nearly 6 kilometers.

That night I spent at Neufchateau, and early the next morning I left for St. Mihiel. About 6 kilometers from Neufchateau we stopped at Domremy, the birthplace of Jeanne d'Arc. This is a little collection of houses, many tumbled down. The village is situated on the banks of the river Meuse, and in peace time had only about 300 inhabitants and at present far less. Domremy has been visited by thousands of our American boys. When one enters the village they usually proceed to the little church where on the stained-glass windows they can read the history of the little French maid from the time that she received the inspiration as a shepherdess on the hills beyond until she was burned at the stake in Rouen. The little home where she was born in 1412 is still standing. There is a white statue of her that was sent from England in the front yard. One is permitted to enter the house and is shown into the little room with its double windows which was used by the maid. On the second floor is a collection of arms, pictures, and so forth, pertaining to the maid. Interesting as this is, there is, back in the hills, built on the very spot where she used to herd the cattle and hear the mysterious voices calling to her, the Basilisque crypt, built in her memory. Here are many beautiful statues and banners recalling the work of this young girl.

I continued on until I came to St. Mihiel, a city in peace times which boasted of 10,000 inhabitants and situated on the right bank of the River Meuse. Here I had my first look at a destroyed city. Practically every building in this city has been destroyed as the result of the great offensive drive of the allied troops in September which resulted so victoriously for us and which was one of the critical battles of the war. Riding along the road we could see the remains of both the German and allied trenches. Some of these trenches have been built four years, while others were just made last summer.

I have seen no end of dugouts and cottages that had been built by the Germans just north of St. Mihiel. They had believed that they were going to stay in these houses all winter, and did not expect to be moved. The houses had been built of boards, covered over with tar paper, and many of the rooms were prettily decorated with the latest wall paper. Electric lights had been installed, as well as up-to-date sanitary fixtures. Comfortable bunks had been erected, on which the Americans slept with much pleasure when the Germans were driven out. Around the houses small gardens had been built, and in one place I saw what was left of a German beer garden and bowling alley. Through the fields I saw miles and miles of barbed-wire entanglements. The difference between the German barbed wire and the French or American is that the Germans used spiked iron stakes, while the French usually used wooden stakes, except when it was necessary to drive the stakes in a hurry.

It is amusing to see some of the signs while driving along. Many of the signs had been erected by the Germans, while others had been erected by the French and many more by our own men. Piles of wood and painted cloth, which had been used as camouflage, are seen lying along the ground for miles. Many of the crossroads had screens, made by the Germans, of bamboo and poultry netting, woven with strips of canvas.

Just outside the city of St. Mihiel I visited a German cemetery. Here, much to my great surprise, I found very handsome tombstones which had been erected by the Germans, who believed that St. Mihiel would always belong to the Germans and little thought of being driven back from this city. For this reason they made the tombstones on a very elaborate scale. Many of them were carved out of rock and contained interesting inscriptions. On nearly every tombstone was a replica of the iron cross carved in the rock. I found in one end of the cemetery, in which apparently had been buried some poorer soldiers, only small markers. Each of these markers had contained an iron cross, but these have been entirely carried away as souvenirs by the Americans when they came through last September. The graves had been very carefully taken care of, and flowers had been planted. Some of the tombstones were built of rock containing phosphorus, and at night they lit up brightly.

There are practically no inhabitants now living in the city of St. Mihiel. Just beyond that city I stopped at Troyan, formerly the division headquarters of the Twenty-sixth Division. I visited the little French cemetery containing about 100 graves of our boys. Each American grave is carefully marked, and most of them were covered with flowers. The French people take much pride in taking good care of the graves of American boys. In looking over the names I found the name of Capt. Joseph McConnell, of the One hundred and first, the brave captain of a company, who lost his life in August.

A few miles beyond, in the woods, I visited some of the towns and woods where the Twenty-sixth went through. Here, on the 26th of September, the Twenty-sixth made an assault on the Hindenburg line, which was directly in front of them. The assault was so successful that it took five divisions of boches to stop the division, as they believed that the Twenty-sixth intended to break through and take Metz, which was to the right. From here I drove to Seicheprey. I passed through Ranschelle, which had been the headquarters of the One hundred and first, and saw the remains of the cellar of the church where Col. Logan and Chaplain O'Connor were forced to hide for five hours. I stood in the little square of Seicheprey where the boys from the Twenty-sixth stood and fought against the Germans and made such a gallant stand. Although we lost a number of men and had more than a hundred taken prisoners, it was at this little town that the Germans first got their idea of how a Yankee could fight. The boche had been punished severely in this scrap.

The next day I went to Verdun, probably the best-known fortress of Europe, and one which for four years had been attacked constantly by the Germans. This city is situated among high hills and its buildings have been practically all destroyed as the result of the continued shelling. One of the most interesting parts of this city is its immense citadel, which is built underground. There are accommodations for more than 50,000 soldiers in this underground citadel. During the recent fighting the Twenty-sixth Division headquarters were located here. Huge underground passages, wide enough for men in columns of four to march, extend for about 13 miles under the city. Throughout the fortress are little holes just large enough to contain the muzzle of a French 77-millimeter gun. There are also emplacements for hundreds of machine guns. Railroads run up to the fort, and in this manner the ammunition and supplies are brought up. This fortress was surrendered to the Germans in 1870 but later retaken by the French.

North of Verdun I saw a part of the huge forests which had been swept clean by the gunfire. As far as the naked eye could see everything has been swept down. Villages had been destroyed, until not a single wall remained more than 3 feet above the ground. Huge trees had been swept away, and there was hardly a foot of the ground that had not been at one time a shell hole. I saw the barbed-wire entanglements that our men had to go through, as well as the trenches on the side of the road. For miles this was a waste of land, and words can not give one a real idea of the damage done.

I went into Fort Vieux, which the Germans had captured in 1916 and had occupied for about six months. Here I found only about a dozen soldiers recovering from the four hard years of war. Out beyond the fort were two other forts, and here our boys were fighting as hard as at any time during the war when the armistice was signed on November 11.

I saw thousands of graves, many of them being American, on the side of the road. Each one had its little cross, containing the name and organization of the man. Here lay buried thousands of our boys, many of them in freshly made graves, having made the supreme sacrifice during the last few weeks of the war.

It is very hard for one to give an idea of the look of the front at this particular place. In northern France alone it has been estimated that more than 250,000 buildings have been destroyed and that more than 250,000 acres of land have been made useless; this is besides the huge forests which have been destroyed, as well as the bridges, roads, viaducts, and so forth. In the city of Rheims alone 12,000 homes out of 14,000 in the

city have been destroyed. Never will I forget the sight that I saw north of Verdun, and then I realized what it must have been like to our boys.

An idea of the losses of the French was recently made by the French Government. Regarding farming implements, it was found "that to replace the losses they would need about 51,000 side-hill plows, 33,000 other plows, 56,000 cultivators, 30,000 mowing machines, 115,000 farm wagons, 28,000 harrows, 50,000 rollers, 18,000 hoes, 36,000 seed drills, 13,000 fertilizers, 16,000 beet extractors, 21,000 winnowing machines, 18,000 horse rakes, 32,000 reapers and binders, 53,000 root cutters," and so forth.

With regard to the cattle lost, it is very hard to get at the exact figures, but in 10 Departments in 1913 there were 607,000 horses, whereas in 1915 there were only 242,000, or a loss of 60 per cent. Of cattle of all kinds there was a loss of 850,000, or 55 per cent; of pigs there was a loss of 380,000, or about 55 per cent.

The loss in wheat amounts to about 1,300,000 acres. The loss in hay amounts to about 850,000 acres.

The total damage to the soil, to live stock, to crops, to forests, tools, and so forth, is estimated at $2,000,000,000.

Before the war France used 59,407,000 tons of coal a year, with an addition of 9,166,000 tons more in coke equivalent. Of this, France produced about 40,844,000 tons and 5,357,000 tons of coke equivalent, the rest coming from abroad. Of this amount, 27,398,000 tons of coal came from the Valenciennes Basin. In all, something over 70 per cent of the total coal supply of France came from the invaded regions, and very much the best quality of coal at that. About 140,000 men were employed in those mines in the invaded regions out of 203,208 coal miners for all of France. This means, with their families, three-quarters of a million people were largely dependent on the coal mines. Over $200,000,000 of machinery has probably been destroyed.

Before the war the total production of iron ore in France was about 21,918,000 tons, of which 19,639,000 tons came from the Briey and Longwy Basins, in the Meurthe-et-Moselle; that is, 90 per cent of the total, of which 16,500,000 tons was in the hands of the Germans. The miners who were employed in these invaded mines, with their families, represented at least 150,000 people out of employment. It is interesting to know that just before the war the total of iron production of the Germans was 35,941,000 tons. In the United States it was 63,000,000 tons. Over half a billion dollars worth of machinery has been destroyed, including that of steel and iron mills.

The textile industry consisted before the war of about 7,530,000 cotton spindles throughout France, of which 4,500,000 were in the region invaded by Germany, and of which almost all were either destroyed or carried back into Germany and France. Out of 2,365,000 wool spindles, 2,000,000 were in the invaded districts. Out of 550,000 linen spindles, 500,000 were in the invaded regions and destroyed or removed. The same is true of looms, of which there were 140,000 in France, and over 81,000 of these were in the invaded districts. Over $120,000,000 of machinery has been destroyed.

Out of 210 sugar refineries in France, 140 have been destroyed by the Germans. Out of 3,000 brush factories, 2,000 have already been destroyed. Over $25,000 of machinery has been destroyed.

Electric power stations totaling 300,000 kilowatts have been destroyed, with an equipment loss of $50,000,000.

Breweries have had over $25,000,000 of machinery destroyed.

In machine shops $100,000,000 of machinery has been destroyed. In foundries, and so forth, $60,000,000 of machinery is gone.

None of these damages include land or buildings. Furthermore, almost all of this machinery costs three times as much to replace to-day, so that it can safely be said that $4,000,000,000 worth of machinery will be needed to replace that destroyed or carried away. This includes the stock and raw materials damaged and damage done to the mines.

Before the war France manufactured 3,000,000 tons of cement a year. In February, 1918, she was manufacturing only 400,000 tons, which amount has since increased and later diminished through the difficulty of securing coal; a good proportion of this was in the invaded Departments.

I returned to Paris and then motored out to Chateau-Thierry, which is about 45 miles away, and which is the point where the Germans were stopped last July in their advance toward Paris. I went into the Belleau Woods, where the marines had their terrific fight in which they lost so many men. I went over on the Soissons road, which the Twenty-sixth Division cut off from the Germans, and visited the railroad station in the center of the town, where the German machine guns were hidden, which caused so much destruction to our men. The casualties of the Twenty-sixth at this point were more than 4,100 men. I saw Hill 190, which the Twenty-sixth captured, and also went into the woods and gained an idea of the ground through which our boys had to advance. The Twenty-sixth Division made history at Chateau-Thierry and won the admiration of the French generals who had an opportunity to observe their work.

About 5 miles north of Chateau-Thierry I visited Bois de Chatelet, where one of the German big Berthas was located. The gun location was in the weeds and there was a railroad spur track running in from the main road. The gun itself has been taken back by the Germans, but the foundation remains. This is one of the guns which bombarded Paris, about 50 miles away. The gun carriage was about 44 feet in width and the ball bearings on which the pit turned were as big as one's head. The pit was more than 30 feet in depth, and there was a solid concrete wall 6 feet in height. In the woods adjoining were the dugouts which had been used by the German officers and the men. With the aid of a wrench borrowed from the chauffeur I managed to unscrew several of the nuts from the base of the gun, which I have with me. I passed hundreds of little graves near here, many of which were American.

I returned to Paris and then went to visit the rooms of the Massachusetts Soldiers' and Sailors' Club. These rooms have been donated by Mrs. Louis Frothingham and are on the second floor of the Hotel Lotti. They are most attractive, and here one finds all of the late papers from the various Massachusetts cities. A large phonograph, with a number of late records, furnished amusement for the boys. The work of this department is most interesting. It is under the direction of Dr. Marten Price, of Boston, who is assisted by Charles K. Crane, a nephew of former Senator Winthrop Murray Crane, of Dalton. I found several women making tea and sandwiches for the boys, and they sure were a happy lot. I found that this bureau furnishes relatives and friends with information concerning the soldiers and sailors. Hundreds of requests are answered concerning missing boys and this organization is doing most valuable work. It takes good care of the Massachusetts boys. Mr. Crane has done much valuable work and has donated his automobile for the benefit of the organization. Four women spend much time going around to the hospitals in Paris and caring for the wants of Massachusetts boys. A number of secretaries are employed and this small expense is borne by the State.

I also inspected the headquarters of the American Red Cross in Paris and met many of the Washington newspaper men who had accompanied President Wilson and who were to cover the peace conference. Christmas afternoon I had dinner with Congressman ALVAN T. FULLER, of Massachusetts, and spent a delightful two hours with S. S. McClure, the publisher of McClure's Magazine.

After my visit to Paris I went to Tours, the headquarters of the services of supply. The achievements of the business end of the war has no parallel in the history of the world, and what has been done for the American Army in such a short time is marvelous. Docks were put up in record time; warehouses, the largest the world has ever known, were built by our engineers; railroads were built and hospitals were put up. Cities were built practically overnight in what was previously a French swamp. Cities complete, with their own theaters, fire departments, streets, stores, water supply, railroad terminals, and so forth, were erected.

One of the most gigantic tasks of the war was to prepare and handle the supplies for the men. With our limited tonnage and the fighting more than 3,000 miles away from our own shores the organization which completed this work has done marvels. You will remember that not only did we have to feed and clothe our own men and supply them with ammunition, but we also did a great deal to help feed the allied armies. When the big flood of American soldiers began to arrive in France it was necessary to find places for them to disembark. Our engineers set to work, dredged harbors, built huge dams, startled the French engineers, and have erected docks and warehouses that stand to-day as memorials to the work of the American engineer. Then, again, was the mighty task of moving the mountain of supplies to the men at the front. Railroads were built and American freight cars and engines were assembled. At one plant alone more than 15,000 American freight cars have been assembled.

The headquarters of all this work is at Tours, and the commanding general of the service of supplies is Maj. Gen. James G. Harbord. He is very ably assisted by Brig. Gen. William D. O'Connor as chief of staff. Through their courtesy I was able to visit some of the larger projects of the service of supplies.

SALVAGE.

The Quartermaster Corps has created many reforms in France which were unheard of in the United States. It has adopted

from the English and French Armies the system of saving, and it has practically eliminated all waste. This has been done by the creation of the salvage service and has already resulted in the saving of millions of dollars to the Government. Salvage crews follow the men at the front and pick up everything that has been cast off. Battered field ranges, old tin pans, and all articles of metal are picked up and shipped back to the nearest salvage plant. Even the horseshoe nails are picked up, straightened out, and reissued. Clothing is the biggest article that is salvaged, and shoes are another important item. A statement was made that in France everything is picked up that has been discarded except cigarette butts and put through salvage. Now, owing to the shortage of cigarettes, the little French boys go along and pick up the butts, so there is no waste at all.

Salvage plants have been established in various sections of the service of supplies. The largest of these plants is at Tours and is known as the American Salvage Depot No. 8. A trip through this plant is most interesting. The main building has a floor space of 100,000 square feet, with concrete floors and railroad tracks running through at several points. In addition to this building there is a smaller building containing 40,000 square feet. Besides these two buildings there are three smaller buildings 9,000 square feet each, the metal department building containing 25,000 square feet, as well as several other small buildings that are used as warehouses, and so forth.

Actual salvage started in January, 1918, and at that time there were 12 men and 5 officers working at the plant. To-day there are 5,300 French female civilians, 730 male French civilians, 745 enlisted men, and 26 officers.

The laundry, which is one of the largest in France, turns out about 75,000 pieces per day. This production includes woolen breeches, blouses, shirts, underwear, socks, bed sacks, shoes, rubber boots, blankets, and other goods. A woolen blouse first goes through a sterilizer which kills all vermin and eggs. It is then washed in warm water and soap, and then dried with warm air. The cotton garments are not sterilized but are boiled in washing machines. After this process the garments are ready to be repaired. Boots and shoes are washed with a weak solution of cresol and water.

CLOTHING.

The daily output of clothing is made up approximately of 25,000 garments of underwear, 10,000 olive-drab woolen breeches or blouses, and 5,000 blankets. Besides this, the salvage service utilizes every bit of material. For example, a pair of shoes are too old to repair. A part of the leather is used for repairing purposes, and what is left is made into shoe laces by a special machine for this purpose. Old campaign hats that can not be repaired are made into hospital slippers, and so forth.

After the garments come from the laundry they are inspected and marked for repair. From here they are sent to the various sections where the repairing is done. The room where this work is done resembles an immense factory in the United States. Hundreds of the latest sewing machines are being operated by French women repairing the old garments. Buttons were sewed on by machinery, and when it is not practicable to do this work by machinery it is done by hand. Garments are then inspected, sized, and pressed, and are then ready for shipment to the troops. The goods are arranged in three classes, according to quality. Class A goods are reissued to the troops at the front, class B goods are reissued to depot troops and labor battalions, and class C goods are dyed green and are used by the German prisoners of war.

SHOES.

Next in importance to clothing comes shoes. The total production is about 3,500 pairs of shoes a day. Shoes are first paired for length and width, as well as character. They are then washed and dried and repaired thoroughly. Two types of repairs are made, one for hospital attendants and patients, without hobnails, and the others for the boys at the front, containing hobnails. Latest shoe-repair machinery has been installed in this plant. A large rubber goods repair section has recently been started. This department handles rubber boots and arctics, slickers, ponchos, and shelter halves. It produces about 3,500 garments and 850 pairs of boots daily. This production is expected to be increased, as recently a large number of vulcanizing machines were installed, which will replace the old method of drying and repatching.

HARNESS AND LEATHER.

This branch repairs chiefly harness and saddles. The articles are first scrubbed with soap, a disinfecting agent, and are then repaired and oiled.

METAL BRANCH.

The metal department is located about a mile and a half from the main depot. Here are found all sorts of metal articles, from a German helmet down to a horseshoe nail. During the month of August the value of production at this plant was $3,246,588, and the total cost of this production was $331,885. The number of pieces salvaged in each of the large departments was: Clothing, 1,154,279; metal, 15,439; canvas and webbing, 172,924; harness and leather, 14,208; shoes, 110,953; rubber goods, 77,633; the number of pieces sterilized and washed by the laundry was 1,655,706. Not only does the salvage service make a saving of nearly $100,000 a day at this one depot alone to the Government, but it also saves a large volume of transport.

One of the most interesting as well as gigantic projects that I visited on my trip was the general intermediate storage depot at Gievres, 48 miles from Tours. It was originally planned that this project should carry supplies of all kinds on hand for a million men a month, but it long ago greatly exceeded this capacity. The length of this project from its extremity is about 7 miles and is 1½ miles in width. It is of diamond shape and the area is divided into five sections of warehouses. In general the warehouses are 50 by 500 feet, built in three individual buildings in a line. The buildings are built parallel to each other in order to greatly facilitate the loading and discharging of supplies. There are at present 185 warehouses, covering a space of 5,000,000 square feet, and the open storage space, which is used for storing property not affected by the weather, of 10,000,000 square feet.

The supplies on hand include engineer and chemical warfare, gasoline and oil, quartermaster, medical, ordnance, Signal Corps, Red Cross, Young Men's Christian Association, each in a respective part of the project. The engineer depot includes many branches. It has large metal and wood machine shops and foundries for brass and iron.

The regulating office is in constant communication with the front line. This depot supplies troops from Dunkirk to Italy, and telegraph and telephone requests come into this depot for supplies of clothing and food at all hours.

At the gasoline and oil depot four huge tanks have been erected, with a capacity of 500,000 gallons. There are hundreds of small tanks for use by individual organizations that are assembled at this park.

A huge remount station for supplying horses and mules to the troops in the front line is established at Gievres and at times the number of animals vary from 4,000 to 10,000. A large veterinary hospital is in operation to take care of these animals, as well as the sick animals that are shipped back from the front.

A trip through these huge yards is most interesting. One sees 1,000 steel buildings, piled up in separate parts, all ready to be shipped to any desired point. All kinds of road machinery, as well as road-repairing machinery, such as tractors, sweepers, and so forth, take up considerable ground. At the engineering depot huge piles of hardware and machinery are found, and one can see five large cranes unloading this material.

At the Signal Corps depot one sees piles of telegraph and telephone poles as well as thousands of miles of wire.

Next to the Signal Corps depot is the Young Men's Christian Association warehouses. Here are three large warehouses full of Young Men's Christian Association supplies, as this is the general depot for the Young Men's Christian Association, and shipments are made from here to the entire front. Next to the Young Men's Christian Association warehouses is the Red Cross depot, which is the last depot that has been established here. It is now receiving a large quantity of supplies from various places, and is already filling the wants of the Army all over France.

Passing on, we come to the medical supply depot, with its some 20 or more warehouses. Here we find piles of Army ranges, beds, and all kinds of medical supplies, too numerous to mention. Passing through the medical supply depot, we come to the main Tours-Nevers road. Turning to our left we observe the ordnance depot. At this depot all classes of ordnance are carried, excepting heavy artillery and heavy artillery ammunition. Next we come to a prison camp for American prisoners.

Crossing the track, we observe the large animal-drawn transportation park, filled with wagons and carts of all kinds and descriptions. Looking off to the right we see piles of parts for wagons. They are so arranged that a wagon is started at one end by assembling wheels on an axle and passing a little farther another pair of wheels on an axle, and when it leaves the last pile of parts the wagon is completed and rolled over on the loading platform ready for shipment to the front.

As we pass on down through the quartermaster section we find a great number of warehouses. Over 100 are in this section and used by the Quartermaster's Department. To our left are warehouses filled with baggage sent here from various commands, and from almost every part of France. This baggage is

sorted here, classified, and stored subject to the orders of its owners. Passing on through we see piles of rations, rope, stoves, and so forth.

Just as we approach the southern boundary of the project again we turn to the right and pass a railroad dump lying between two classification yards. Going a short distance we again turn to the right and recross the project. Here we find a clump of barracks, occupied by men working in this vicinity of the plant. To our left we find a corral where the animals and wagons used in this section are kept. Passing on through, great quantities of soup and other commissary supplies are observed.

We now are about to leave the quartermaster warehouses, and on looking to the right we observe again the refrigerating plant in the distance. Just this side of the refrigerating plant we find cars high in the air on top of piles of coal. At this point some 200,000 tons of coal is expected to be stored.

Passing now on through we cross the end of the largest classification yards. Here are 20 tracks, forming a group of classification tracks. Also to our left we observe the locomotive repair shops. Looking down in this direction one is struck by its great similarity to a big railroad yard in the States—locomotives moving in all directions, steam and smoke rising, similar to what would be found in a very busy yard in any part of the United States.

Going out on to the main road and turning to the left, we go down nearly to the extreme west of the project and cross back again on the project, we come to the main railroad hump. To the west are 15 receiving tracks that lead to the hump. The hump controls two classification yards, one of 20 tracks and the other of 15 tracks. It is here that cars are switched and classified.

Leaving this part of the plant we go direct to the cold-storage plant. The refrigerating part of the cold-storage plant consists of one building 970 feet long by 120 feet wide. This building has a maximum capacity of 8,000 tons of beef. Crossing the tracks, we go through and take a look at the machinery and the ice plant.

In entering this part of the building the first thing one finds are the big compressors that have come here from Milwaukee, Wis. Walking around to the boiler room, one observes the large, massive boilers that have come here from Chattanooga, Tenn.; then pass through the ice-making plant, where 500 tons of ice can be made daily.

We have now, in a general way, seen 140 miles of American railroad track, many machine shops, and the equivalent of 20 miles of warehouses 50 feet wide, and cars scattered throughout the yards. In riding through, one is not impressed with the number of these cars in the yards. However, if the cars found in the yards in a single day were made up in one train, that train would vary from 30 to 40 miles in length.

On our way back from the camp we stopped at Issoudun. This is the Third Aviation Instruction Center and is the largest flying center in the world. This school is an advanced training school primarily for the development of chassé or pursuit pilots, while facilities are provided for the training of pilots for bombardment, artillery observation, and reconnaissance machines. The general scheme of the school is devoted to the finishing of pilots for the small, swift type of combat planes. The course here is admitted by French and English aviators to be the stiffest in the allied armies, and it is of such a nature that when the individual pilot is graduated from this school to the front he can be depended upon to make good.

The Third Aviation Instruction Center is the finishing school for all American pilots who have received preliminary training in the States, France, Italy, or England; in fact, every American pilot, before finally going to the fighting front, is sent to Issoudun to receive final training. The school maintains a constant liaison with the front, and moniteurs are constantly going from this school to the front and returning in order that the pupils may receive the benefit of the very latest developments in aerial warfare.

Apart from being a finishing school, the Third Aviation Instruction Center is really the point in the pilot's training where his future is decided. Here it is determined whether the aviator is best suited for pursuit, bombardment, artillery observation, or reconnaissance work, or whether he is capable of flying any of these types of machines at the front. The disposition of his training is finally made here.

The aviation center is absolutely self-supporting, with its own electric-light system, sewers, waterworks, its own railroad, its own fire department, repair shops, supply department, machine shops, hospitals, target ranges, and so forth. It even publishes its own newspaper, which is edited and printed by soldiers. While its founders were busy laying out the modern city they did not overlook the streets, sidewalks, and macadam roads.

There are at present 16 independent flying fields at the school, and additional fields are in contemplation. Because of the existing conditions in France, the school is as nearly self-supporting as it is possible to be. To make this possible, the aero repair department and the machine shops are essential parts of the institution, incidentally saving millions of dollars annually to the United States Government.

The supply department is virtually a depot supplying all of the outlying fields. The depot is divided into seven different departments—Nieuport airplane parts, parts for all makes of airplanes, motors and motor parts, hardware, instruments, clothing, and the gasoline, oil, and grease department.

There are in use at this field 17 types of Nieuport airplanes. To keep these ships in the air it is necessary that a stock of approximately 15,000 parts be kept on hand. While at Tours I visited the headquarters of the Signal Corps and was shown the activities of this department. For practical purposes the work of the Signal Corps may be divided into two fields: First, the construction, operation, and maintenance of communication by telegraph, telephone, and radio, for the control and distribution of personnel and material of the Army from base ports through the zones of the S. O. S. up to the lines of combat; second, communication by every practicable means within and between the units of the fighting forces.

SIGNAL CORPS IN THE S. O. S.

The first of these requirements made necessary the provisions of a network of a line of communication between ports, depots, hospitals, aviation centers, and training camps; in short, a complete system on a large scale connecting all places where units or offices of the American Expeditionary Forces may be located. This calls for the construction, installation, and operation of telegraph, telephone, and radio equipment analogous in every way to that necessary in commercial systems like those of the United States.

The facilities which the French could place at the disposal of the Signal Corps were very early found to be inadequate, and Signal Corps lines built with American material by Signal Corps personnel have been constructed in steadily increasing amounts.

Since the Signal Corps commenced to function on June 24, 1917, there have been nearly 19,000,000 local telephone calls and upward of 1,000,000 long-distance telephone calls handled by its services. Since the Signal Corps telegraph system commenced to function, on August 9, 1917, there have been handled more than 5,500,000 telegraph messages. The long-distance telephone and telegraph system constructed by the Signal Corps is entirely maintained by Signal Corps personnel. In addition, 4,870 kilometers of leased wires are also maintained by Signal Corps personnel.

Although the main function of the Signal Corps is the provision of communication a large part of its activity in the S. O. S. has to do with its own supplies. In the United States Army each service has certain classes of material which it handles exclusively. Signal Corps supplies consist of all the implements and material for constructing lines of communication, including equipment and central stations and telegraph offices, as well as all the instruments and apparatus used for signaling in combat. Although of less relative importance from the point of view of personnel involved it should be said that the Signal Corps is charged with meteorological and photographic service to the entire Army, and supplies for these activities are also under the control of the Signal Corps.

Signal Corps supplies from America and, to a small extent, from England arriving at base ports are sent to supply depots in the S. O. S., where they are checked and inspected. From these depots they are sent as required to advance depots, where a further distribution takes them to Army parks. A special depot for photographic supplies is maintained at Paris.

THE SIGNAL CORPS IN COMBAT.

The second great field of activity of the Signal Corps is concerned with the provision of tactical units fully equipped and trained in the use of every practicable method of signaling promptly and despite enemy interference military information and communications with respect to the preparation for and conduct of active military operations at the front, as well as for the interception of enemy communications and the location of enemy radio stations, whether on the ground or on airplanes.

The interception of communications and the location of radio stations of the enemy is done by specially trained personnel working with special apparatus in cooperation with the intelligence section of the General Staff. By means of these services it is possible to learn the enemy's plans in advance and to gain

information on the character and distribution of his units in the battle line.

The provision of all possible means of communication has entailed a vast amount of study and instrument development, both in the laboratories of the Signal Corps in France and in the United States. The conditions of warfare are not those of time of peace, and it is an interesting fact that telephone communication, to mention only one instance, is in a more advanced state of development at the front than it is commercially in the United States.

Summary of telephone and telegraph system.

Telephones in operation:	
(a) Semipermanent Signal Corps system	9,268
(b) Combat Signal Corps system	3,064
(c) On systems other than Signal Corps but under supervision of Signal Corps	685
Total	13,017
Telephone exchanges:	
(a) Semipermanent Signal Corps system	273
(b) Combat Signal Corps system	123
Total	396
Wires in Signal Corps system:	Kilometers.
(a) Long-line system—	
(1) Wire on pole lines built by Signal Corps	45,000
(2) Wire strung by Signal Corps on French pole lines	5,200
(3) Wire leased from French and operated by Signal Corps	32,800
(b) Combat lines largely on Signal Corps pole lines and buried system	62,000
(c) Local lines and cable systems	57,000
Total	202,000

(About 126,000 miles.)

TECHNICAL SERVICES.

In addition to this general organization for supply, transportation, and signaling in combat, there are maintained in the office of the chief signal officer a number of special administrative and technical divisions. The supply division has supervision of the handling, storage, and issue of all Signal Corps supplies from the time they reach the base ports until they are turned over to the Army parks. The telephone and telegraph division supervises construction, maintenance, and operation of all telephone and telegraph lines in the services of supply. The engineering division makes surveys, prepares plans and estimates, and has technical control of construction of telegraph and telephone lines and installations in the zone of the services of supply and advises and assists the zone of the advance with respect to construction and installation in that zone.

The research and inspection division, the laboratories of which are in Paris, is charged with the development of apparatus to meet any requirements which may be presented and makes inspections at factories and depots, in order that supplies may reach the armies in a condition conforming to standard specifications. The radio division has charge of the radio service in general throughout the American Expeditionary Forces and also supervises Signal Corps radio intelligence service.

The photographic division is charged with the maintenance of a file of all negatives taken by the Signal Corps or other American services in France and with the keeping of a complete photographic record of the war, as well as with a supply of moving and still pictures for purposes of public information and propaganda.

The special service division supervises the meteorological service, signaling by means of pigeons, and visual signaling, which is done by flags, lamps, and panels.

Other divisions of the office of the chief signal officer comprise the personnel division, which keeps all necessary personnel records and prepares travel orders, and so forth.

From Tours I went to Bordeaux, one of the seacoast cities of France that has been used to a great extent by the Americans. We have been using nine ports for supplies in France: Brest, St. Nazaire, Rouen, La Pallice, Rochefort, Bordeaux, Nantes, Marseilles, and Havre. The largest docks are at St. Nazaire and Bordeaux, and Bordeaux is one of the three cities that has been chosen to debark our troops. I first went out to visit the Bassens docks.

Situated on the right bank of the Gironde in the direction of the ocean and about 10 kilometers from Bordeaux, these docks are composed of two sections. The first section, constructed by the French over a period of 10 years, has a capacity of seven berths at present and is about 1,220 meters long. The second section is composed of docks built by Army engineers, using some civilian labor. It has been completed since March, 1918, and this is very remarkable progress, in view of the fact that a great deal of difficulty had to be overcome because of a large amount of marshland. Extending along the entire length of this dock are three railroad tracks running parallel to each other. They are at present spanned by 20 traveling cranes of the most modern type, each having a lifting capacity of 10 tons; when fully equipped there will be 40 of these cranes. In most cases the supplies are taken from the ships by these cranes and loaded directly on the cars. However, in some instances it is necessary to place them in warehouses, which were constructed by American engineers, just back of the railroad tracks. These warehouses form an integral part of the general system and run almost the full length of this section of the dock. The dock is now completed and about 1,250 meters in length, having a capacity of 10 berths, and will handle 12,000 tons daily. A very modern fire apparatus is ready for instant need. Above the fire house is placed a lookout platform, which will be used for a systematic control of the arrangement of ships and also to announce any outbreak of fire quickly. Two men will be on constant duty at this lookout station. A comprehensive view of the whole project is seen from this platform. Small electric tow carts and gasoline tractors are used for the movement of small freight and the spotting of cars on the dock, respectively. The Army engineers have installed a complete electrical system, by which the docks are lighted. All apparatus, including the cranes, is operated by electricity. The electric tow carts are charged on the docks.

Another set of cranes, composed of units, each with a platform and a boom at each corner, and operated by a steam donkey engine on the platform, serves to handle the freight which is to be temporarily stored in the warehouses to the rear.

A very comprehensive trackage system has been constructed throughout the entire docks by which the loaded cars may be easily placed on a track and made into trains. From here the trains—American locomotives and largely American cars, operated by Americans—are taken to the immense distribution warehouse depot at St. Sulpice over American tracks. At present about 6,000 negro troops with white officers are used continuously on these docks in three shifts. No German prisoners are used on the docks. A high barbed-wire fence has been erected between the docks and the main road to facilitate guarding the project.

MOTOR RECEPTION PARK AND ASSEMBLING PARK.

Situated about 1.6 kilometers south and east of Bassens Docks. All automobiles that come into this port are taken directly to this park. They are here assembled, equipped, and prepared to be convoyed to the advanced distributing parks. About 150 cars of various types are sent out daily and often as high as a thousand cars leave per week. The park is now operating on a very efficient basis and construction is in progress for the necessary buildings so that the work may continue during the rainy periods. New standard Liberty motor trucks may be seen here in great numbers.

CAMP ANCONS.

Situated about 1 kilometer east of the docks. This camp is particularly interesting from a visitor's point of view on account of the very efficient way and unique methods by which the 6,000 negro troops are taken care of. These are the troops who perform the labor upon the docks. One of the most interesting features is the feeding of these men. The men pass through stiles in single parallel columns and receive the food from attendants at the rate of about 125 per minute. A kitchen, composed of about two dozen field ranges in a near-by building, cooks the food, and it is carried by the attendants to the men who do the serving. Hot food is taken from this kitchen for all meals and served to the troops who are on duty at the docks.

ST. SULPICE WAREHOUSES.

Situated about 25 kilometers northeast of Bordeaux. This is an immense system of warehouses, to which most of the supplies from the docks are taken, over an American railroad. This system of warehouses comprises three sections and when completed will have about 115 storage buildings, each with dimensions of 15.4 meters by 154 meters, making a total covered area of 2,583,392 square feet (240,000 square meters). A wonderful system of tracks around and between these warehouses makes it possible to charge or discharge them in the minimum of time. About 800 or 900 cars are being loaded or unloaded daily.

Each section is composed of many rows of warehouses, three in a line and placed diagonally with the sectional divisions. On each side of each line of warehouses are two tracks. The intervening space, 5,700,000 square feet between warehouses, is used for the storage of Engineer property and other material which is not affected by weather conditions.

It will be noted that both the warehouses and the intermediate space can be utilized at the same time from the two tracks. The camp is approximately 2 by 5 kilometers and

located adjoining the main Bordeaux-Paris railroad line. About 11,000 troops are at present used in this camp, including 1,800 German prisoners. These prisoners are formed into companies of 450 men each, and 85 class B American troops to guard each company. A prison camp of 900 men is located each side of the project. All the men, including the prisoners, work 10 hours a day and receive the best of army rations, including the 15 per cent additional allowed labor troops. The prisoners are doing very good work, but usually arrive in a poor state of health. From two to three weeks are required to bring them to full efficiency.

Owing to the size of this project, a unique system of gasoline "speeders" has been instituted for supervisional work. My observations of the camp were made from one of these "speeders." There is also an American prison camp here for men who have been sentenced from three to six months. They are also used on this work.

The project now has about 141 kilometers of railway tracks completed, and will be increased to 240 kilometers. Switching facilities are arranged for on either end of the project to connect with the main line.

EMBARKATION CAMP.

The embarkation camp is situated about 5 kilometers northeast of Bordeaux. The day after the armistice was signed a soldier wrote his best girl: "For over a year I have had a burning ambition to go overseas, and, by gosh, I've still got it." Then he and all his fellows sat down and did a little figuring. Statistics seemed to prove that a long and sad wait lay before him. To make sure, he consulted his company commander and had his fears confirmed.

The company commander forgot that Uncle Sam learns by experience. He remembered how long it took to come over. He saw visions of trucks drawing up before company barracks at ports of embarkation not so very long ago loaded with shoes and overcoats and breeches and shirts, and, after a hectic two hours of sorting and trying, returning two-thirds laden for exchange with odd sizes that would not fit anybody. He saw company clerks toiling all night long over service records, passenger lists, and the hundreds of individual papers necessary to keep a quartermaster busy and contented. And on that basis he knew it would be a long, long time, even should the return movement start immediately, before the cow-haunted towns of sunny France would fade into memory.

But Uncle Sam has learned by experience. He has put 2,000,000 soldiers into France, and in the process he has acquired knowledge. The hundreds of thousands who passed through the replacement camps of St. Aignan-Noyers, of Le Mans in Brittany, of Blois, and of Nevers, soon showed him that some better methods had to be devised, and in his service were men frantically desirous of keeping their names out of print who had the sense to devise them. He cut out the trucks and got down to business.

The result was "The Mill." They tried to get a better name for it, but the dictionary did not contain one. For it is a mill. Into one end they feed soldiers—dirty and ragged and infested from the battle fields—and from the other they turn them out cleaned and reequipped and ready for home. Now that the soldier's ambition to go overseas is once more in a way to be gratified, he has acquired another. That is the way with ambitions. Now he wants to greet again his closest friends at home and get rid of his closest friends in France. I refer, in the latter case, to the cooties, or, in more dignified terms, the lice.

It is not a pretty animal, nor is it a pretty name, but both stick. The cootie has risen to the dignity of official command. I believe there is now an officer—I am not sure he is not a general officer—who rejoices in the proud title of chief delousing officer. Why not chief delicing officer I do not know. It was considered that the corps under him should be named the military delicers, somewhat like the military police, but the other M. D.'s objected. At any rate, he has built various combat strongholds, such as in the embarkation camp outside of Bordeaux, and there he obtains his victories.

Men going home are either casuals or organized units. The organized units come off the line and are sent into billets in villages scattered over a wide area. There they put up their own little portable delousing plants and draw their new equipment and generally tidy themselves up. When they think they are ready, they report the fact and are inspected; and if their opinion of themselves is correct they are, according to priority list, moved to Embarkation Camp No. 2, whence they go aboard ship.

The camp is a collection of typical American barracks, situated in a beautiful country about 4 miles out from Bordeaux. It is very complete and comfortable. The arrival, armed, it is hoped, with his service papers and travel orders, "blows in" laden with full equipment. He is shoveled into one end of the mill. From that moment his destinies are in other hands. Between long batteries of typewriters he files slowly. His vital statistics are taken. Where he is from, who is his nearest relative, to what unit he has belonged, the barracks to which he is assigned, and other items of the sort are entered on duplicate cards. From this room he proceeds to another, also full of clerks, who assign him to one of the eight great districts into which the United States is divided. The idea is to get him into a casual company with comrades from his own section of the country. Thus his return home in an orderly and military manner is assured. The casual companies number 150 men each and are officered by casual officers, also from the same neck of the woods. The information here obtained is collated at headquarters. The adjutant has always before him a morning report showing exactly the number of men and officers on hand from any part of America. He also knows that by the time the man leaves that second room his records, all his service records, his equipment slips, his allotments, his insurance, his qualification cards, and so forth, are cleared and in order.

The third room has two long benches, two long tables, and a row of ash cans. Hinged sides to the room make it possible to remove the ash cans from the outside. Here the soldier separates himself from all his personal belongings. Equipment and all that dread word comprehends falls from him, both ordnance and quartermaster, and he steps into the fourth room boasting earthly possession of only a towel and a piece of soap—both newly acquired. The ash can contains all the rest, and that spirited away by unseen hands disappears into unknown regions. What eventually becomes of its contents he knows not nor greatly cares. As a matter of fact, they are taken away and undergo treatment and reclamation.

And in the fifth room that soldier undergoes his five or six hundredth physical examination since entering the Army. When a medico has nothing else to do it is his delight to examine you physically. Medicos have nothing much to do.

If he is all right the soldier goes on into still another of the innumerable long steamy rooms. If he is all wrong he is shunted one side into the yawning infirmary wagon. This room is full of showers and steam and hot water and the smell of soap, all of which are supposed to be very bad for cooties. In fact this might be called the chamber of horrors for the cooties. When they have passed this test they are, if not dead, at least in an awful fright.

The cleaned, solitary, but naked soldier next steps into a storehouse. Here are arranged neatly on pigeon-holed shelves every last item that a soldier is supposed to own, and arranged according to the exact order in which he wears and carries them. That is, he gets his taps for identification tag and his undershirt first, and his ordnance last. Into the equipping and dressing room he comes as he came into the world, and out of it he steps a complete American soldier.

All but his haircut and shave. A mammoth barber shop of 50 chairs—count 'em; 50—still awaits him. He can now go to his assigned barracks to await the time when, a sufficient number of men from his section having gathered, he is pronounced a member of a full-strength casual company and is moved to the embarkation camp. From that moment his history is that of any soldier belonging to a unit.

Before the time of sailing perhaps some days or even weeks must elapse. He must be held in readiness, not permitted to stray. It is dull work. But here comes in those most excellent institutions, the Red Cross and the Y. M. C. A. Both camps are blessed with several huts under exceptionally able management. Pianos, phonographs, magazines, letter paper, canteens for the assuagement of the soldiers' strange and perpetual hunger for chocolates, chewing gum, and the cheaper brands of cigarettes are all there in abundance, and the personal touch also, without which these things amount to little. One American woman has, by dint of sheer personality and sympathy, so endeared herself to the thousands who have come in contact with her, that men on leave have actually taken their vacations in Embarkation Camp No. 2 instead of amid the white lights in order to renew their acquaintance with her. Think it over, it means something.

The best of all—to the friendless casual at least—he gets paid. All he has to do is to step to the desk. No waiting for the pay roll of his old company to be examined. You do not know what that means unless you have been there; but about 2,000,000 of our men have been there.

Even waiting must have an end. There comes a time when the Navy says to the personnel officer at the docks that it has a ship with such a capacity ready for home, and the latter refers to his priority list and his morning report and reports such and such units for embarkation. They shoulder their

packs and march to the docks in tow of special guides. There are guides everywhere to show each unit, each man, by prepared lists, just where he shall go. At the foot of the gangplank the embarkation camp bids him and his record farewell.

And to an Army man here is a beautiful arrangement, for in the Army a man and his record are presumed to be inseparable. If they ever drift apart, dreadful things happen. The man is adrift. He may even become a casual, and that, as I must have made clear, is a terrible fate. If the transport took him over at camp, for example, and if on the way to the docks he should break his wishbone or something and be sent back to a hospital, and his record should go right on without him. Do you not see? But embarkation will have none of that. It escorts him and his record "tout ensemble," as we say in our fluent French, to the edge of the water and wishes him a good trip.

At the mill, near Bordeaux, alone they can delouse or delice them at the rate of 6,000 a day, 18,000 a month. Bring on your ships!

ST. LOUBES.

Situated 12 kilometers northeast of Bordeaux. This project is situated on the south bank of the Dordogne River. Along the water front American engineers have constructed about 600 feet of wooden docks, where the ammunition barges are unloaded. Upon arriving the ammunition is loaded on these barges at a point down the river and towed up to this dock. From here it is taken by horse-drawn vehicles to sorting warehouses. From these sorting warehouses the supplies are distributed to 36 special storage warehouses, according to the clasification of shells. These special warehouses are distributed over a large area and connected with the distributing warehouses by railroad tracks. All possible precautions in the location of these warehouses have been taken in order to prevent the possibility of any general explosion.

This whole system is, of course, connected with the main French railroad lines.

HISTORY OF UNITED STATES ARMY BASE HOSPITAL NO. 6, AMERICAN EXPEDITIONARY FORCES.

Base Hospital No. 6, the first American hospital of any character in the immediate vicinity of Bordeaux, arrived at Bordeaux on July 28, 1917, with 29 medical officers, 64 nurses, 7 civilian secretaries and specialists, and 153 enlisted men of the Medical Department. The unit was organized in Boston, Mass., by Maj. (now Col.) Frederic A. Washburn, Medical Corps, administrator for the Massachusetts General Hospital. Nearly all of the medical personnel and nurses were graduates of the Massachusetts General Hospital.

The unit sailed from New York on the steamship *Auroria* on July 11, 1917. It was among the first six base-hospital units ordered to France. The unit arrived at Liverpool July 23, and proceeded without delay to France by way of Southampton.

The unit was the first American organization to enter Bordeaux or vicinity, and one of the first to be established in what is now known as base section No. 2, which at that time had not been conceived. The citizens of Bordeaux and Talence evinced much interest and pleasure in the advent of the first element of the American Army in this neighborhood.

Arrangements had been previously made for the unit to take over the Petit Lycee de Bordeaux at Talence, Gironde, which had been in use for three years by the French Service de Sante as a French hospital. The personnel of the unit was quartered in a few vacant wards until such time as the construction and the organization program should be carried out.

August 21, 1917, the first American patient was received.

At the time the unit arrived at Talence the French hospital had upward of 900 patients, whose evacuation was necessarily slow, and it was not until September 1 that the French hospital Complementaire No. 25 officially turned over its buildings to United States Army Base Hospital No. 6.

In the meantime plans for construction had been under way, and by September 5 the renovation and repair of the administration building had been completed to the point where it was ready for occupancy. Soon thereafter the construction of barracks was started. The original plans of construction received many additions as the American Expeditionary Forces grew in numbers.

On October 28, 1917, the hospital received its first visit from the commander in chief, Gen. Pershing. He made a thorough inspection.

The construction of the various groups of barracks progressed favorably, and by December 25 a Red Cross hut was completed for the use of personnel and patients.

On March 1, 1918, the base laboratory, base section No. 2, S. O. S., was established at the hospital.

March 1, 1918, the Chateau de Breuil was leased for the use of nurses.

March 13, Secretary of War Baker and Gen. Pershing visited the hospital.

March 15, 11 officers, 21 nurses, and 46 men, comprising Hospital Unit "O," reported at the hospital for duty. This unit had been formed in Charlotte, N. C., by Maj. Addison G. Brenizer, Medical Corps.

On April 3 the first convoy of patients from the front was received, numbering 326. On April 8, a convoy of French patients was received, an agreement having been made to care for 100 at a time as long as accommodations permitted.

On April 25 Maj. Washburn was relieved of the command and ordered to England to take charge of the hospitalization of American troops in England, and Maj. (now Col.) Warren L. Babcock, M. D., commanding officer of the American Red Cross Hospital No. 3, Paris, took charge of the hospital. On this date the hospital was taking care of 650 patients, and the construction had advanced to a capacity of 1,360.

May 13, 1918, the Chateau de Baychevelle, near Pauillac, was added to the hospital as a convalescent pavillion for convalescing American officers.

From this date until the present writing convoys of wounded were received at regular intervals from evacuation and advance hospitals, and the patients increased rapidly in number. On June 30, 1918, the number of patients was 1,385 and the capacity 2,200.

July 30 the hospital was again visited and inspected by Gen. Pershing.

On July 31 the number of patients in hospital was 2,332, and the number of beds 2,600.

The construction work was kept in advance of the demands for accommodation of wounded and completed in time to receive the great flood of patients following the Chateau-Thierry and Soissons battles. On completion of the construction, September 1, 1918, the capacity of the hospital was established at 2,750, and orders were issued immediately for the organization of an emergency capacity by the erection of tents and the use of many of the corridors of various buildings. An emergency capacity of 1,500 beds was thus provided in a few days.

The hospital furnished several surgical, gas, and shock teams of trained specialists for work in forward evacuation hospitals and at the time of the establishment of Headquarters Base Section No. 2 a number of its personnel were requisitioned as specialists for service in the office of the chief surgeon, Base Section No. 2.

On November 1, 1918, the Caserne Carayon-Latour, at Pessac near Talence, was taken for equipment and administration as a part of Base Hospital No. 6. It had a capacity of 1,200 beds, thereby increasing the capacity of Base Hospital No. 6 to 5,550. This Caserne was later designated as Base Hospital No. 220, and Capt. George A, Leland, jr., was appointed commanding officer.

On November 11, the day the armistice was signed, the hospital had 4,320 patients, its normal and emergency capacity both being fully occupied. On the basis of population it was the largest base hospital in France under a single administration as distinguished from hospital centers. At its maximum it has had a total personnel, nurses, soldiers, and civilians, of nearly 700, and up to present writing has cared for over 25,000 patients, the majority of whom were American wounded.

While at Bordeaux I was invited by Brig. Gen. Robert D. Walsh, the commanding general of Base Section No. 2, to accompany him out to Base Hospital No. 6, which is located in the outskirts of the city. This hospital was first started by the Massachusetts General Hospital unit, and at present contains a large staff of Massachusetts doctors. The work which has been done at this hospital is well known all over France. I was shown through the various wards and met a great many men from all sections of the country. The men were in a happy frame of mind because orders had been received that all men in the hospitals were to be sent back home. I was impressed with the comfortable portable buildings, with their warm stoves, and the good food that was given the men at this hospital. I talked to scores of them, and every single one was warm in his praise for the treatment received here. At times this hospital has had as high as 6,500 patients. I was very much interested at visiting some of the gardens that were taken care of by the convalescent patients. These gardens furnish all of the fresh vegetables that are used in the hospital as well as give useful and helpful occupation to the men.

The Red Cross has furnished huts as well as the Young Men's Christian Association, and they take good care of the boys. The

Knights of Columbus have men going through the hospitals at all times distributing free cigarettes and chocolate to the men.

I also visited the Beau Desert hospital center. Here four hospitals are in operation, and they have had as high as 14,000 patients at one time. This hospital center is a city in itself. I also visited the Wellesley College Unit Red Cross Hut, which is at this hospital center, and which is considered one of the most attractive in France.

While at Base Hospital No. 6 I made a short speech to the boys when one of their number was being decorated with the distinguished-service cross for bravery.

Everywhere that I went I found Massachusetts officers and men upholding the traditions of Massachusetts and doing the work that had been expected of them in a manner that made me proud of the fact that I came from Massachusetts. We will never be able to repay the men and officers who gave up their homes and friends and went over to France to fight for us. They suffered hardships that the world might be a better place to live in. Many of the poor lads made the supreme sacrifice, and as I noticed their graves, from the fighting regions north of Verdun to the small cemeteries outside the hospitals in Bordeaux, I then, in a small way, began to realize a little of what these men have been through.

So far as war relief work is concerned, I have heard nothing but the highest praise, from officers and men alike, for the Knights of Columbus and the Salvation Army. They have been with the boys always and everywhere, giving them little luxuries that helped greatly to stimulate morale.

Address Delivered by Hon. Royal C. Johnson at Norristown, Pa., on February 9, 1919, on the Life and Character of Theodore Roosevelt.

EXTENSION OF REMARKS

OF

HON. EVERETT SANDERS,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. SANDERS of Indiana. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of Hon. ROYAL C. JOHNSON, delivered at Norristown, Pa., on February 9, 1919, on the life and character of Theodore Roosevelt.

The address is as follows:

ADDRESS OF HON. ROYAL C. JOHNSON, REPRESENTATIVE FROM SOUTH DAKOTA, DELIVERED AT NORRISTOWN, PA., FEBRUARY 9, 1919.

Theodore Roosevelt was our friend and, like 2,000,000 other Americans, I have returned to the land of my birth to find that our general and friend has "gone west"—"gone west" to the place where he may secure that peace that was never allotted him in life, and where neither the recollection of his power, nor service, nor kindness may enter his thoughts.

"Gone west" with a smile, secure in the knowledge that he satisfied himself that he performed his duty like a man, but that he may never again hear the tributes that men give to men.

"Gone west" with the love, affection, and confidence of his countrymen. Too few of us there will be who will be able to do likewise.

I dislike to eulogize him. It is easy to criticize the living or eulogize the dead, and I can not believe that he would desire either. All that he would wish of us is to let his life and his work and his example live for the inspiration it may give to future Americans. He had no other thought than America. With full knowledge of the world and its history, he was always an American, and history will record him as the greatest American citizen of his time.

I shall not try to talk of him as will the historian, coldly stating the facts of great achievements, but rather as I shall talk to my grandchildren, when they cluster around and ask me of Theodore Roosevelt, because his history will not be written in books, but will be engraved in the hearts and minds of those yet unborn who will follow him. It is of the memories of him that we wish to think, and not of what may be written.

When they ask me of him, I shall say, "No one can tell you of Roosevelt, his life, or his work—he accomplished so much in every realm of the world's activities that none of us may imitate him, but I can truthfully say that he was the greatest living force in the world for a score of years—not long as time is considered, but measured by the life of men, an eternity."

During that time he was legislator, statesman, soldier, father, and President, and there are none to-day who dare to say that he was not the best. As a legislator his record is an open book which the historians of the world will lay before you, and with which you are familiar. As a statesman he had the knowledge of the world's forces that few have had, and he used his knowledge for his country. As a soldier he was the idol of soldiers, and he faced death as a soldier should face it.

I have always felt that the secret of his strength and the underlying reason for his honesty was the fact that he had faced death so often and had no fear of it. The conquering of that fear had led him to the great philosophy that if he could but satisfy himself, he need have no fear of satisfying others, and with that great fund of knowledge, which he had so studiously earned, he satisfied himself and was usually right. Without that lack of fear he never could have performed the services to his country which he did perform, and you will find the dominant note of lack of fear of death or consequences running through all of his activities. His own creed, as given by him many years ago, expresses my thought better than I could express it, and I shall give it to you as he gave it:

> I preach to you, then, my countrymen, that our country calls not for the life of ease, but for the life of strenuous endeavor. The twentieth century looms before us big with the fate of many nations. If we stand idly by, if we seek merely swollen, slothful ease and ignoble peace, if we shrink from the hard contests where men must win at hazard of their lives and at the risk of all that they hold dear, then the bolder and stronger people will pass by us and will win for themselves the domination of the world.
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> Let us therefore boldly face the life of strife, resolute to do our duty well and manfully; resolute to uphold righteousness by deed and by word; resolute to be both honest and brave, to serve high ideals, yet to use practical methods. Above all, let us not shrink from strife, moral or physical, within or without the Nation, provided we are certain the strife is justified, for it is only through strife, through hard and dangerous endeavor, that we shall ultimately win the goal of true national greatness.

If one could have asked Theodore Roosevelt, when he knew he was going to leave us, what he considered his greatest work, I believe that he would say that it was the fact that he had trained four sons and given them to his country; and it is as a father that we must most admire him. No one knew what war would cost as he knew it, and no one knew the toll of death that would be taken as he did, yet willingly and cheerfully he acquiesced in the desires of his sons when they went forth to the fighting line, ready and willing to accept that which was to be accorded them as did their father.

He knew the soldier's creed, and when his son had said, "If my time shall come, I wish to lie where I have fought and fallen," he knew the motive that called for that expression and cheerfully acquiesced. He knew that if the cause was worth fighting for and dying for, the place of death was the place for eternal rest.

Of his life and work as President we must let the historian speak, because every realm of human endeavor and activity entered into it. His one desire, if I may interpret his feeling, was that every man, woman, and child in his country might be given a place in the sun, with the right to happiness, justice, and freedom. He desired to "carry on" with that thought with a firm belief in a Divine Providence, and in the broad sense of the word, a Christian. He carried to the office of President the lessons that he learned from the Sermon on the Mount, and as he learned them he lived them. We see this if we take his creed, and he expressed it when he said: "If we read the Book—the Bible—aright, we read a Book that teaches us to go forth and do the work of the Lord in the world as we find it; to try to make things better in the world, even if only a little better, because we have lived in it. That kind of work can be done only by a man who is neither a weakling nor a coward; by the man who, in the fullest sense of the word, is a true Christian, like 'Greatheart,' Bunyan's hero."

But enough of eulogy; the devotion of my allotted time to the saying of the kindly, but true, things of Theodore Roosevelt would not satisfy him. If he were present, his mind would be upon the future, and he would wish to know what we were doing now to carry out his work that he had begun and for which he gave his life. He would ask us many searching questions, and questions that none but he could ask; he would ask concerning the future of our country and what we were doing to make it better. He would say, "Our boys have gone to make the world better, and what are we doing and what will we do for them when they come back?" I wish he were here to tell us, because no one understood the American soldier as he understood him, and if we could but have his counsel and advice at this period of the Nation's reconstruction it would be timely and wise.

I think he would ask us what comprehensive program we have undertaken for the sick, the wounded, and the well, and if we

have made provision for the new life to which every returning soldier aspires.

As we read his writings we know that he knew the problems; he knew that men whom the world called failures have fought the good fight and will come back regenerated, and he would ask us what provision we have made to keep them on this plane to which they have risen. He would say that each of them must live his own life, but that this coming back must mean that the respect for law and for the rights of civilization be kept before each man. He would say that these men must decide for themselves, but should be given every opportunity for advice in making a choice. In his great wisdom and charity he would know that men return with hopes and desires that life can never fulfill, and his practical mind would wish to reconcile that wish with that which they can receive. He would say that we must be governed both by the law and by the facts, and by the conditions and not by theories. He would know that every man must be returned to the place in life that he by merit and industry and application is entitled to occupy, and he would see to it that that place was kept or made for him. He would know that we must reconcile the thoughts and hopes and aspirations of both soldiers and civilians; he would teach the soldier that this war could never have been successfully terminated had it not been for the loyal support of the men, women, and children, who saved and slaved that the soldier might be heartened and equipped, and he would teach the civilian that he would have no country had it not been for the soldier.

His great mind would fathom the fatalism that permeates the thoughts of those who played with death and he would combat it with words that would bring home to the heart of every man the fact that not luck but tact and industry and perseverance will rule the world. He would teach the boys that in battle they lived not by merit or by luck, and that while "c'est l'guerre" was the motto of war, in the future they must learn that the world is not changed and their actions must be governed by adaptibility and judgment. He would know that his sons and your sons must be given time to pick up the habits of life which they left so long ago and which are now hard to assume, and he would outline the needful legislation. He would see that it is yet too soon to say just what we shall do or how we shall do it, because the youth of our country has not returned, has not been consulted, and any decision to which we come without the counsel of the men who fought that the people of our country might retain the right to choose their own destiny will be made ex parte and subject to reversal. This does not mean that pressing decisions should not be made. We live in the present and each day, and its problems must be met. It does mean, however, that we must maintain the Constitution as it is and the foundations of legislation as they are until all of the people of this country are given an opportunity to express themselves.

He would lay down some of the general principles that must govern us. One that is accepted by the bona fide citizens of this country and will be demonstrated upon the return of its troops is that we have a profound respect for its laws, its decisions, its uniform, and its flag.

Four million men fought or were ready to fight for its decisions, in its uniform and under its flag, against an alien enemy, and those men will not hesitate to fight against an enemy, alien or domestic, who can not accept the decisions of a majority of the citizens of our country and respect its flag. He would say this in his charity and kindness for the benefit of those individuals who hold in allegiance the red flag, which has never been the symbol of organized society and government under whose laws sane and civilized people must live. These rules are plain to the understanding, and have been and must be observed by the overwhelming majority of the citizens of all countries.

He would say, and I would repeat after him, that the free men who wear or have worn the American uniform will fight any organization that seeks the destruction of Government or finds that it can not abide by the laws of this country, respect its flag, and uphold its hands. An enemy is an enemy, whether at home or abroad. A traitor is a traitor, no matter where he may live; and Theodore Roosevelt would say, and every soldier would repeat, that the cause of anarchy and of rebellion will be met with every soldier upholding the Government for which soldiers fought.

He would say, and every soldier would repeat, that no man can hold true allegiance to two gods, two countries, or two flags. One must be surrendered, and the country can not live and prosper that does not force the surrender of any allegiance which is inimical to national unity. He would make the statement, as he has time after time laid down the principle, that every American citizen is entitled to the protection of the American Government for his person and property at any place in the world where he may happen to be.

He knew, as none of us know, that no country can be great or maintain its self-respect if the rule is not complied with, and when a government does not assume that attitude neither it nor its citizens retain their self-respect.

Time is all too short to honor this great man, but I believe that so long as the Nation endures the thoughts of men will turn to him for inspiration, and I can only say that for him I have but one regret, and that is that he might have died at the head of the troops of his country, in the fight for the things which he knew were right. He would have then died as he wished to die and as he lived. Together with his son "gone west" in battle at the front. A soldier, God bless him.

Our Country is Not Large Enough to Shelter Any Citizen Not Truly American.

EXTENSION OF REMARKS

OF

HON. S. D. FESS,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. FESS. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following:

ADDRESS DELIVERED BY S. D. FESS AT THE CHAMBER OF COMMERCE OF PITTSBURGH, PA., FEBRUARY 8, 1919.

Mr. Chairman and members of the Pittsburgh Chamber of Commerce, I am here to speak on at least one phase of the reconstruction problem.

However great was the problem of winning the war, the proper solution of the problems of peace is greater. The war came after two and one-half years of warning, which gave the Nation abundance of time to think of the task. When we entered it it was a problem of men and money, mobilized to give the maximum war ability. This was done in the usual American way. While all must admit it was wasteful, and wickedly so, the answer to all claims for economy and all charges of extravagance was "we must win the war."

With the close of the war the problems of peace are imminent and acute.

Under the stress of war we ignored the principles of sound business and finance to embark upon emergency legislation. While this was done as temporary measures to enable the Government to utilize the maximum ability for Government purposes, to a total disregard for individual rights, it offered an administration astonishingly friendly to socialistic tenets the open door to try out these socialistic doctrines at the behest of Socialist advocates and propagandists. So we are not surprised to find presented to us to-day on the part of the administration a request, if not a threat, and on the part of classes of agitators a demand, that these temporary and emergent measures for war purposes be made permanent law for peace purposes.

FIRST PHASE OF PROBLEM.

This is the first phase of the reconstruction problems. Another phase more serious is the inevitable loosening of the ties of law and order, the giving way of the sheet anchor of peaceful government. This has permitted a phase of resistance to the organic laws of the land, which is reflected in numerous ways and divers places, not only in Europe and Asia but even here in America. The worst fruits of this disregard for order fully is found in Russia. The Bolshevist régime there can not be described to an American accustomed to respect for law. Here is a Government which but yesterday could stand out against the world. It was looked upon, and had been for many years past, as the greatest rival of the Anglo-Saxon. Many of our keenest students of world politics looked upon Russia as the one mighty rival of Great Britain. Students of political history predicted a conflict between the Slav and the Anglo-Saxon.

To-day, under the ban of a group of anarchists, whose fundamental theory of government is the abolition of private property, this mighty empire lies prostrate, with none so poor as to do her reverence. That doctrine with its poisonous virus breaking out all over Europe has shown its presence here in America, in more or less boldness since the war opened the door. Its fertile field is among the labor of our country, especially the ignorant foreign worker. It quite naturally feeds

upon the misfortunes and pains of a people. It seeks the times of distress to fatten and increase its ranks.

FOREIGN DOCTRINE INCREDIBLE.

To-day, when war's demands, which were unlimited, produced a standard of cost of living that is abnormal and fictitious it foresees a period of unemployment and consequent suffering, and immediately charges it all to our system of government. To this situation quite naturally they offer as a remedy a change of our system, the abolition of private property, and the inauguration of what they choose to call the new internationalism, in which by government feat they propose to make every man and woman equally happy, without regard to the real fundamental principles of sound success.

To the average American, for this is a foreign infusion, this doctrine is incredible. But I warn you men of business that it is taking a deeper hold upon our country than any of you perhaps conceive. It is rapidly spreading among the less well-to-do among us who are too prone to gather among themselves and turn a listening ear to the irresponsible agitator, who assures the aggrieved that their ills flow from their Government, which owes them a living upon terms of their own making. The toiler is told if he wants to work and must work he should work for himself or his Government, not any other employer. Recently a spokesman of the railway employees urged the roads should be run in the interest of the employees as against either the owners or the public. This is the Russian Soviet under which Russia is to-day prostrate. The toiler is told that the striking inequalities of our citizens as property holders is not due to individual differences but to a Government that wrongfully permits the inequalities. He is urged to demand in the name of equal possession that the Government be abolished and all denied any possessions. This doctrine refuses to admit of diversity of abilities and proposes to make all alike by leveling all to the plane of dispossession. It proposes to chop off the head of every citizen who, by his efforts and application, rises above the average standards.

WARNING IS ISSUED.

I warn the country against this frightful doctrine. No man can fail to see the food upon which it feeds, nor the growth it is bound to make unless met by a sound and well-organized campaign of education. All political parties ought to unite their agencies of information to dissipate by the light of education this nefarious and pernicious poison that is daily insinuating itself in our body politic.

I am now addressing a group of men who represent the business energy and success of this city. I am convinced if I should take a census to find how many have come to your present status by your own efforts and devoted application to principles of sound business, even starting with small beginnings and advancing wholly upon your own intelligent direction, I would find that the vast majority has come from almost nothing. In what you have done in your business career has not been limited to personal gain, but no doubt you have given employment to thousands of citizens, thereby making it possible for many of them to have their homes, to educate their children, to become active and useful factors in all good works in their immediate vicinities.

But if among you, through sloth or indolence, idleness, thriftlessness, wastefulness, or from whatever cause, there are those who prefer to sit on the proverbial store box and solve the problems of state, on which they are so busy that they have no time for work, his situation is not his own choosing or lack of choice, but the government or the system of laws under which he lives. The acuteness of this problem is commensurate with the number of this class of citizens among us.

MUST ABSORB ALL LABOR.

Unemployment which may result from demobilization will aggravate the question. Our concern should be to absorb all our labor as soon as possible. We should also endeavor to carry on a campaign of education to show the conditions necessary for steady employment of labor. Here business must be given a chance to employ labor.

Labor must be willing to take employment at a wage business can pay. The two must be cooperative. Indeed, the public must demand a policy of enterprise in which the employer must be concerned about the welfare of his labor as well as the profits of his industry. It was well expressed by some of your conventions that "If it is not for the common good it is not good for business." This should be the criterion not only for the employer but for the employee.

I believe that the American laborer is loyal to our spirit and institutions, and can not easily be turned against them, even in times of stress and storm induced by whatever cause so it is not such as may be avoided. But we can not overlook the importation of Old World principles and practices too often becoming insinuated into our labor circles from which are fomented outbreaks of lawlessness of various degrees. Within the past few weeks our Nation has witnessed outbreaks in many cities where were announced un-American doctrines and where the sight of the American uniform was hissed and our Government denounced.

DEPORTATION IS ADVOCATED.

This country is great in its boundaries and offers vast areas for occupations and residences, but it is not great enough for two allegiances. We must make it known to every comer that unless he can subscribe to the doctrines of a real Americanism this is no place for him. I vote now to forcibly deport every man and woman who hissed the appearance of an American boy in khaki. I am ready also to forcibly expel every man and woman who refuses to subscribe to a full and unqualified allegiance to this country.

We just now are contemplating the prevention of any further immigration for at least four years, a question of some serious import to business, out of which we may have to enact laws to meet certain conditions of labor.

Our chief concern is to insure a partnership between capital and labor, so that the interest of the one becomes the interest of the other. This is necessary to prevent labor from becoming a fertile field for the operation of the Bolsheviki.

It must come first by a clear conception of the problem, in which the rights of both are clearly discerned, and secondly by a fearless demand on the part of the Government for a recognition of the rights of both. This suggests the old problem of the conflict between liberty and authority.

MUST AVOID EXTREMES.

History of government seems to be an attempt to reconcile liberty and authority—both are absolutely essential. Some think the greatest boon to mankind is liberty. Others think it is law and order. Our country, happily, combined the two.

Jefferson was the greatest exponent of liberty. Hamilton was the greatest exponent of power.

While the world is set against autocracy we must avoid its extreme, bolshevism. Liberty under government, when the government is on behalf of liberty, is the solution.

This at once raises the question of our duty—now before us as a Nation just emerging from the world war, during which time in order to win the war we have made government everything and the individual nothing.

Liberty of industry is denied, and all business finds itself with the Government's strangle hold about its throat.

Our immediate duty, now that the war is over, is to get back from a war to a peace basis, which means to remove the Government's shackles on business.

When the real American doctrine is applied to present-day problems, people will demand the liberty of contract with the power of enforcement. Liberty without a corresponding responsibility is bolshevism. Enforcement of contract if no liberty was exercised in the making is autocracy. Both of these are un-American, and each is equally vicious.

Capital should be at liberty to invest, but in such a way as not to injure the public. Labor should be at liberty to discontinue a particular work, but not in violence to the injury of the public. The citizen should be at liberty to employ his talents, to apply his time to the best use of which he can make of his opportunities so long as not to interfere with or injure the public.

The function of the Government is to insure an equal opportunity to all its citizens in the rivalry of life.

CAN NOT MOLD CITIZENS.

Jefferson contended that that is the best government which governs least. That is, the best results are attained where the liberty of the citizen is least restrained in legitimate enterprise.

This is what capital wants. It is what labor asks for. It is what ambition rests upon, what aspiration consists of.

Government should not attempt to make all citizens of one mold, whether he be employer or employee. On the other hand, it should keep open wide the door of opportunity for every talent of every citizen. It should beckon to every citizen, whatever be his talent, his tendency, his tasks, so they be legitimate, to invite him to strive to excel, for this is the very essence of success of the individual and prosperity of a nation. The man who achieves should be commended. The man who fails should be stimulated to correct his mistakes in order to succeed, if possible. The Government should treat every man and woman as an independent, self-reliant, responsible citizen, not as a pensioner, not as a mere subject of paternalistic concern. Each citizen must be taught the fundamental doctrine of "sink or swim." That what he is is due to his efforts, not to paternalistic care; that he is the architect of his own fortune.

The door of opportunity must be left open. This is the real function of government. The success or failure of the citizen will therefore be his own, and the country must be made to recognize that fact in order to avoid producing on the one hand a nation of mollycoddles and on the other a nation of paternalistic dependents, both of which are equally bad.

If we fail to develop in the citizen this sense of self-reliance and responsibility, every misfortune growing out of indolence, idleness, or shiftlessness, to say nothing of waste and extravagance he will lay at the door of his government. This is the basis of anarchy and bolshevism.

DEMOBILIZATION PROBLEMS.

It is true that the Government in the case of the immediate problem of demobilization must employ every facility to prevent unemployment of labor. But this should be done not by fiat, but by providing ways for industry to prosper, so that capital may be invested profitably and labor be employed at a scale that, while it is in keeping with American standards, it will also enable the producer to market his product. Labor is justified in demanding the best conditions conducive to its employment, but it must not overlook the ability of his employer to market the finished product. Conditions of production which leave the producer without a market because of the high cost of production will prevent the industry from continuance. That means unemployment, which, of course, means loss of wages and a further interruption between the producer and consumer. The greatest demand in industry is measured by the consumer from the standpoint of labor. If labor, which makes up the great bulk of consumption, is deprived of wages from whatever cause, the producer will be injured to that degree. Business paralyzed by labor conditions will display its worst effects upon the laborer, who under the scale of high cost of living must be employed or suffer.

In that event we will have a situation where anarchy will lift its head and the slogan "kill and burn" will be heard. This is bolshevism in its worst form. It is a conflict between those who have and those who have not, in which those who have not undertake to seize what is possessed by those who have.

The first symptoms of these outbreaks are unemployment and consequent distress from want.

These conditions are seized upon by the leaders of anarchy to organize against government. Law and order are resisted and disregard for law, our only stay against crime and violence, is encouraged.

Liberty becomes license and government a sham.

DANGERS ALWAYS IMMINENT.

These dangers, always imminent in times of distress, breed out of ignorance of economic principles and feed upon undisciplined passion so freely displayed in times of crises. To-day we see the same spirit of antagonism to law and all legal restraints rapidly spreading over the world. Congress was asked to vote $100,000,000 to feed Europe upon the specific representation that it will prevent the spread of bolshevism. This representation comes from the highest source. While all of us stand ready to assist the suffering in Europe we doubt the remedy proposed for the antidote of a cult of the type of bolshevism. Mere appeal through the stomach is at best but temporary, but the real remedy is the assurance that the time is here when respect for law must be compelled.

I have a few suggestions to make as remedies for this disease.

Open wide the door of opportunity for capital to invest in the enlargement of existent industrials and also in the development of new industries.

So soon as possible unshackle industry by the removal of hindering regulations, so that the war essentials no longer needed for war purposes can be converted into peace industries, and the nonessentials, discontinued during the war as of no value for war purposes, may be stimulated for peace purposes.

Let the Government, so soon as possible, cease to be a competitor in production in all such industries as can be carried on by private enterprise, thereby encouraging those who have capital to embark into production on such scale as the demands for the article will warrant. In other words, maintain the principle of private ownership and operation wherever possible under the law of supply and demand.

Legislation should be enacted to permit the development of hydroelectric power by private contract under such regulation as to amply protect the public. This increase of power in industrial development will enhance prosperity by increasing the output of labor, thereby multiplying the conveniences of life and reducing the cost of living.

ENLISTED MEN'S RIGHTS.

The vast waste of power permitted in our streams by either refusal or neglect to permit the conversion of the water flow into power should be corrected.

In lines in which private enterprise can not fairly compete, such as road building or other public improvements, the Government may well embark upon a building program. This should be dictated by a policy of employment of labor in needed public works for the public benefit.

This activity should extend to the Reclamation Service to utilize waste swamp land and arid tracts throughout the country under such guidance as will insure not only employment of labor but an increase of acreage for production.

The labor situation, which may become acute by demobilization, should be relieved along national lines, with especial regard for the rights of the enlisted men, who must not be made to suffer for his sacrifice. Soldiers should not be discharged in the centers, but carried to the communities from whence they came and without unnecessary delay. They should be provided by such allowances as to reasonably assist them in replacement in industry, with a choice of resuming the places which they left to enter the service.

While demobilization should bear some relation to industry, the soldier should not be refused his discharge beyond the day his service is not needed by the military situation. The Government can not be justified in detaining the enlisted man in the service when no longer needed, for fear his discharge might embarrass the labor situation of those who were not in the service, but who were identified with war work in munition plants at abnormal wages. Such a policy will be and should be rebuked in unmeasured terms as a crime against patriotism.

While the abnormal cost of living is reflected in the high scale of wages, this scale can not be reduced to normal except as the cost of living is reduced.

This restoration to normal conditions involves a problem.

REASON FOR HIGH COSTS.

The cost of living is not an increase of value so much as an increase of price. This is largely reflected in not only an inflation of credit, due to the stupendous war borrowing which has suddenly increased our annual outlay from a billion to nearly $20,000,000,000, but also to an inflation of our currency.

Whereas our per capita circulation at the close of the Civil War was but $16, it has now reached the enormous sum of $55, or three and a half times as much.

Even in the famous silver campaign in 1896, where the advocates of the quantitative principle of finance demanded greater circulation, the per capita circulation was but $31.

The virtue of our Federal Reserve System lies in our ability to so expand our credit that we may avoid a financial crisis such as used to come every 20 years. But that very remedy contains the specific danger. We are now in the period of inflation. How will deflation or contraction be accomplished, if at all?

This increase of price without an increase of value may not seriously injure save in case of unemployment. In that case the problem of living becomes acute and the Government faces a most serious situation. This is an additional reason why capital and labor must avoid needless antagonism, but willingly cooperate in order to insure against unemployment.

If industry can not safely invest its capital to employ labor at this abnormal scale, so that the finished product may find a market, industry must stop. In that case labor will be unemployed, and while labor becomes the greatest sufferer, capital must suffer from lack of investment.

Our country can not permit an army of unemployed men to beg for bread. Herein lies the seeds of trouble which may become Bolshevik, the one most dangerous element in the world of to-day, because of its disregard for law, the very sheet anchor of our liberties and the foundation of our national prosperity.

FIND WORK FOR ALL.

And I leave off as I began, that the chief function of the Government is not to employ labor, but to keep open the door for the employment of labor so that every man who wants to work can find a place at a reasonable wage, and every dollar that he wishes to invest can find an investment at a reasonable profit.

The inevitable dispute between labor and capital should find an agency, either official or unofficial, by which the two sides can be fairly represented and adjudicated in the interest of the public as well as in obedience to the laws of equity in the case. The Government should be interested in this phase of the industrial problem.

Such a body can be selected for the purposes of conciliation. However, it should never be overlooked that good labor conditions can not result from mere Government fiat. They must come from a condition which permits industry to employ labor steadily and at good wages. The one supreme demand of the hour is, in my judgment, such legislation as will insure steady employment here. That means we must depend upon producing

here rather than elsewhere. Every article purchased from abroad that could have been produced here means displacement of that labor here by employing labor in the country from which we purchased the article.

Our people can not be unaware of the modern cosmopolitan philanthropy which is styled the new internationalism by which we scorn at the idea of our legislation on behalf of our own people. The campaign now on to lose the American aspiration in a maze of European interests, to remove all economic barriers and legislate for the world rather than for America sounds well, but carries with it too much European customs and conditions of economy to suit a country whose laws and privileges have for a century seen an exodus from Europe to America by a steady stream of immigration. The latest device for displacing a national policy based upon a real American spirit is the proposed constitution of the world, in which our national destiny is lost in international interests.

NATION HAS BEEN BLESSED.

This Nation has been wonderfully blessed by the character of her laws and institutions, her principles, policies, and business freedom. Her industrial achievements are the wonder of all ages. Her captains of industry are the foremost of the world. Her labor is the best skilled, most independent, and prosperous. This has been made possible by the cooperative spirit between the employer and employee under a policy of protection of American labor against the cheaper European competitor. To this policy the country has committed the advocacy and leadership of a great political party. Its greatest proponent was the splendid leader of the American policy of protection whose memory we have so recently honored.

In this presence and upon this occasion when our thoughts are turned to the stupendous problems of reconstruction as affecting the labor situation of the Nation, and as would be reflected in the life and services of our martyred McKinley, we reaffirm our devotion to this American policy to protect American labor against the cheaper labor of the Old World, and will refuse to exchange a national policy for the new free-trade cult in which we are asked to cease legislation for our own people, to enter upon an international program of legislation for all the world. The country will take its stand firmly for an American policy of protection to insure steady employment of labor on an American scale to preserve the American standard of life. If Europe wishes to come to our standard we will rejoice in her decision. But until that is reached we will continue to maintain our policy of taking care of our own household first without any undue entangling alliances with foreign countries.

EXTENSION OF REMARKS
OF
HON. FRANK CLARK,
OF FLORIDA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1919,

On amendment offered by him to the naval appropriation bill for water pipe line to Key West, Fla., at a cost of $2,000,000.

Mr. CLARK of Florida. This amendment is in harmony with the declared purpose of the bill as stated in the report of the Committee on Naval Affairs:

It has been the purpose of the committee in making recommendations to reduce all appropriations to the lowest possible figure consistent with the increased activities, efficiency, and proper administration of the service, and to that end the committee has labored by reducing appropriations in every instance where it was felt that no harm to the service would result.

Again—

Under "Public works, Bureau of Yards and Docks," the committee feels that it would be inadvisable at this time to recommend any appropriations for new projects, enlargements, or developments, and in this bill has recommended only appropriations which are considered necessary for the proper care, maintenance, and operation of existing properties.

The importance of Key West as a naval base has been too long recognized by high naval officers to need elaboration by me. I can do no better than quote from these sources.

In 1822 the Hon. Smith Thompson, Secretary of the Navy, in response to a resolution of the United States House of Representatives requesting the President to inform the House "what appropriations will be required to enable him to fortify Thompson's Island, usually called Key West, and whether a naval depot, established at that island, protected by fortifications, will not afford facilities in defending the commerce of the United States," said:

That the geographical situation of the island referred to in the resolution has for some time past attracted attention, and been considered peculiarly important both as a military position and in reference to the commerce of the United States.

These are some of the obvious benefits in time of peace, but its advantages in time of war with any European power having West Indian possessions are still more important, both as it respects the protection of our own commerce and the annoyance of our enemy. An enemy with a superior naval force occupying this position could completely intercept the whole trade between those parts of our country lying north and east of it, and those to the west, and seal up all our ports within the Gulf of Mexico.

Under date of May 11, 1823, when asking for an increased number of vessels and men, Commodore Porter wrote:

From the importance of the trade of Cuba and the Gulf of Mexico, the whole of which is protected from this place with a force not equal to one frigate, I presume my requests will not be considered extravagant. The arrivals and departures of the American vessels from the port of Habana alone average about 30 a week and those from Matanzas about 20. Not a day elapses but that great numbers of American vessels are to be met passing through the Gulf, and since our establishment here they daily in numbers pass in sight of us. I mention these facts to give you an idea of the importance of this station and to show the propriety of augmenting the force by the additions which I have asked.

In November, 1823, Commodore Rodgers, United States Navy, made a report containing this:

Nature had made it the advance post from which to watch and guard our commerce passing to and from the Mississippi, while at the same time its peculiar situation and the excellence of its harbor point it out as the most certain key to the commerce of Habana, to that of the whole Gulf of Mexico, and to the returning trade of Jamaica, and I venture to predict that the first important naval contest in which this country shall be engaged will be in the neighborhood of this very island.

Seventy-five years afterwards this prophecy was fulfilled, and with Key West as a base our fleet engaged in the most important naval contest ever fought in the Gulf, destroyed the Spanish fleet, and drove Spain from the Western Hemisphere.

In wars and rumors of wars has the importance of Key West as a naval base been demonstrated. During the Civil War more ships were stationed there than at any other port in the United States, and but for its occupancy by the northern forces as a naval base the result of the war might have been different. In 1873, when the capture of the *Virginius* threatened war with Spain, nearly every ship in the Navy was hurried to Key West, which was made the base of all operations. In 1898, on the breaking out of the War with Spain, every available naval vessel was again sent to Key West, and the *Oregon* and *Marietta* made their record run from California.

When we entered into the war against Germany the strategical importance of Key West was again recognized by the Navy Department.

Its position on the Straits of Florida—through which 5,000 vessels, aggregating from 20,000,000 to 25,000,000 tons pass annually—commands the protection of American commerce in any war. In all past history this position has been of the greatest importance, and no matter where on the Western Hemisphere the war may be, the American commerce in the Straits of Florida will have to be protected from Key West as a naval base.

A distinguished naval historian has said that some day the Government of the United States will recognize "the capacity of the Florida Reef as an advantageous naval station—a sort of Downs or St. Helens Roads in the West Indian Seas."

The military branches of the Government have recognized its importance, but it is the Congress of the United States that seems loath to do for Key West what the Navy Department recommends as of utmost importance.

On December 29, 1829, Commodore David Porter, United States Navy, made an extensive report on Key West, from which I cite the following:

SIR: In consequence of your application to me for my opinion of Thompsons Island, or Key West, I have to state that since the year 1823 I have from time to time been making myself acquainted with the Florida coast and keys—part of the time in command of the United States squadron, and subsequently in command of the Mexican force in that quarter; and perhaps there is no man living better qualified than myself to give an opinion on the subject, as my information is derived from actual observation and practical experience.

The harbor of Key West, in my opinion, is the best harbor within the limits of the United States or its territories to the south of the Chesapeake.

1. For its easy access and egress at all times and with all winds.

2. For the excellent anchorage and security it affords, both in the inner and outer harbor, for ships of the largest class. Leading to the harbor of Key West are several excellent channels, some affording water for the largest class of ships, the others suited to the vessel drawing 10 and 11 feet water.

The advantages which Key West affords in a commercial point of view are:

1. Its vicinity to the island of Cuba and port of Habana, having a ready market for all articles placed there in deposit or left by the wreckers, of whom this is the rendezvous of those on the coast.

2. It being a convenient touching place for all vessels bound to and from the Gulf of Mexico, Bay of Honduras, and the coasts of Louisiana and Florida.

As a naval station Key West has decidedly the advantage over all others I have ever known:

1. In its susceptibility of fortification.
2. The ease and number of its approaches with all winds.
3. The difficulty of blockade, as I have proved while in command of the Mexican squadron, it requiring a blockading force equal to three or four times the force to be blockaded to keep up an efficient blockade.
4. The ease with which supplies may be thrown in, despite the presence of an enemy.

* * * * * * *

In speaking of Key West as a naval station, I have reference only as to its being employed as a depot for stores and a rendezvous for our ships of war; but even as a place for the establishment of a navy yard it has most decidedly the advantage over every other place south of the Chesapeake.

* * * * * * *

These facts and opinions are stated after an experience of nearly seven years.

The advantages of its location as a military and naval station has no equal except Gibraltar.

1. It commands the outlet of all the trade between Jamaica, Caribbean Sea, the Bay of Honduras, and the Gulf of Mexico.
2. It protects the outlet and inlet of all the trade of the Gulf of Mexico, the whole western country of Louisiana and Florida.
3. It holds in subjection the trade of Cuba.
4. It is a check to the naval forces of whatever nation may possess Cuba. It is to Cuba what Gibraltar is to Ceuta.

It is to the Gulf of Mexico, etc., what Gibraltar is to the Mediterranean.

* * * * * * *

In making this statement respecting Key West I am actuated by no other feeling than the desire that my country should not, by the prejudices, partialities, interested views, and errors of others, be induced to lose sight of the great advantages it presents, whether looked at in a military or commercial point of view.

You may say that these opinions are ancient history; but less than a year ago Assistant Secretary of the Navy Franklin D. Roosevelt, in a joint letter to the Secretaries of War and the Navy, said:

Fortunately in the past the United States has not been forced to conduct a major campaign in defense of its shores. For this reason largely, and perhaps to an extent because Key West is a somewhat advanced and isolated position on our coast, its strategic and tactical importance has not been so much to the fore as other localities in the world. However, the Navy Department has always appreciated the military importance of this particular site as a base for naval operations in case we were forced to conduct operations on or near our own coast.

A radius of 1,100 miles swept from Key West as a center includes within the circumference of the circle nearly all the following positions: The entire Mexican, Central American, Canal Zone, and Colombian coasts, the islands of Curarao, Cuba, Haiti, Porto Rico, and St. Thomas, Bermuda, the Bahamas, and the coast of the United States to New York. All of the more important passages leading from Europe into the Gulf of Mexico are included within sweep. Its strategic importance as a base for naval operations is therefore clearly shown.

The present war may, before its close, find hostile submarines of the cruising type operating on this side of the ocean. All of the shipping from the Gulf of Mexico, including the tank steamers, carrying that most vital necessity—oil—must pass through the Yucatan Channel or the Straits of Florida. This shipping should be protected, when the necessity arises, by every means in our power. Except for Habana, which is small, and a few anchorages behind the reefs, there are no harbors where the above shipping may take refuge from the submarine except at Key West. As a base for offensive operations against submarines, Key West is ideal, and the Navy Department has taken advantage of this fact to mobilize certain of its forces there, and is taking steps to further expand the facilities of the port.

The Navy and War Departments have consistently sought to develop Key West in accordance with this view.

The present normal activities at Key West were thus described by Rear Admiral Fletcher, United States Navy, in 1918:

There is on the island of Key West, under the jurisdiction of the Navy Department, the naval station, the naval air station, the naval training camp, the new naval hospital, and the distance-control radio station.

The one drawback to Key West is the lack of a supply of fresh water, and to this fact can be attributed the failure to make of Key West the important naval station that its strategic position demands. The present sources of fresh water are: Rain water stored in cisterns, water shipped by rail from the mainland, and distilled water. With these combined sources there is annually a large deficiency, and from February to August the situation frequently becomes acute. For a time the Army and Navy depended upon the rainfall for their supply of fresh water, but with the development of Key West as a military and naval base this was so uncertain that both the Army and Navy maintain distilling plants, which are entirely inadequate to the present needs and preclude contemplated developments.

An appropriation of $2,500,000 has been made for a submarine base at Key West, and my amendment appropriating $2,000,000 to furnish fresh water to the naval station there is not a new project or the enlargement or development of existing conditions.

It is as futile to classify supplying fresh water to meet the necessities of the enlarged naval activities contemplated at Key West as "a new project" as it would be to classify an appropriation for food for the men as "a new project."

I am fully sustained by the Secretary of the Navy in my contention that this is not a new project, but one "necessary to carry on the building program or its auxiliary necessities." This he made very clear in his testimony before the House Committee on Naval Affairs, as will be seen from this colloquy:

Mr. KELLEY. We can pretty well afford to let new projects rest. We have gone through the war and the great stress is over, and can we not just about hold things in statu quo for a year or until we know what is going to happen? All these navy yards ask for extensive improvements which do not hinge in any way on existing facilities in the yards, but are entirely new projects.

Secretary DANIELS. I have recommended none except where they were necessary to carry on the building program or its auxiliary necessities.

Mr. KELLEY. And wherever we find, if you happen to have overlooked anything of that kind, an item which seems to us not to bear directly on the building program at these navy yards in the way of extensions or improvements we might very reasonably cut them out, might we not?

Secretary DANIELS. I think you will find they have been cut out.

The Secretary of the Navy submitted an estimate of $2,000,000 for this water-supply system, and my amendment is to give effect to his recommendation.

Testifying at an investigation in Key West on May 19, 1918, Admiral Fletcher said:

It was not believed that the activities of the Navy can be increased to any large extent without an increase in the present facilities for providing water. It is understood that the naval air station is to be increased very shortly.

An enlargement of the present naval station to accommodate a large force of submarines and such other light-draft vessels as will be needed in connection with the use of this place as an operating station, and with these increased facilities in the station it will be undoubtedly necessary to have an increased water supply.

The method proposed of providing the increased supply of water at Key West by a pipe line along the line of the Florida Coast Railway from the mainland. This has been brought to my attention since I arrived here, in January. As far as I can see, it seems to me to be the only feasible plan by which a proper and sufficient supply of water can be provided in the shortest possible time at a probably minimum expense.

At the hearing before the Naval Committee on December 6, 1918, the following occurred:

Mr. BROWNING. Of course, it is not within your province—it is one of the developments of the department—but do you think under the existing conditions of peace that we want a submarine base at Key West, and that this money ought to be spent there?

Admiral PARKS. I do. I think that is one of the most important points for a submarine base.

Mr. BROWNING. Where are our submarine bases at the present time? There is one at New London.

Admiral PARKS. New London is the largest submarine base.

Mr. BROWNING. What are the others?

Admiral PARKS. We are building one at Hampton Roads.

Mr. BUTLER. And one at Charleston?

The CHAIRMAN. That is not a regular base.

Mr. BUTLER. But they have accommodations there?

Admiral PARKS. Some. The important one south of Hampton Roads is on the Florida coast—Key West.

Mr. BROWNING. During the war; but why now?

Admiral PARKS. It is not necessary for immediate use, if the war is over; but the particular purpose of a submarine base at that point is to protect the transit line for oil; that is the principal thing.

Mr. BUTLER. The transit line for oil?

Admiral PARKS. Yes, sir.

The CHAIRMAN. Through the Gulf.

Mr. BROWNING. I can see, if we are in war, the importance of that base; but I can not see, with the war ended and with no chance of war for some years to come, and with this $2,500,000 that has not been obligated, why the project at this time should not be postponed until the Navy knows just what they expect to do, and tells us just what they expect to do. In my opinion, the item should be taken out and the $2,500,000 already appropriated should be permitted to revert to the Treasury.

It seems reasonable to suppose that the Naval Committee would not have omitted from the appropriation bill an item that the Secretary of the Navy considers so important if it had had time to fully investigate the proposition, in view of the very positive statement of the Secretary of the Navy that he had recommended no new projects and no improvements "except where they were necessary to carry on the building program or its auxiliary necessities."

I quote again from the testimony of the Secretary of the Navy on this subject:

Secretary DANIELS. We have undertaken to build a submarine base at Key West, which, of course, is the strategic point for the Gulf and Caribbean, and we have appropriated money to do that, in addition to the station we have there now. The purpose is to get fresh water. I think the only fresh water there is rain water.

The CHAIRMAN. And what they bring down in barges.

Secretary DANIELS. Yes; or by rail.

Mr. ESTOPINAL. Could we not get some place where we could find water?

Secretary DANIELS. You could do that if you had the strategic advantages. Key West juts out, and it is the only place possessing such advantages.

* * * * * * *

Mr. ESTOPINAL. Let us get to a place with water. We do not want to bring water 130 miles. There are many places where we can get both land and water.

Secretary DANIELS. Not a strategic place for the Caribbean and the Gulf. In the Spanish-American War Key West was a very small sta-

tion, but we had to utilize it, and if there were any war involving the Panama Canal it would be important.

Mr. KELLEY. How many submarine stations have we?

Secretary DANIELS. We have a number, but the only two we have that are of the first importance on the Atlantic and the Gulf are at New London, Conn., and Key West. You might say we have an important one at San Diego. We have them at other places.

Mr. BRITTEN. Is there not land or harbors down there available just north of Key West that could be utilized so that this amount of money might be saved?

Secretary DANIELS. No; there is no place at all.

Mr. BRITTEN. How much has the Navy Department expended up to the present time on the submarine station at Key West?

Secretary DANIELS. You appropriated $1,025,000 to begin it.

Mr. BUTLER. That was a war appropriation?

Secretary DANIELS. That was an appropriation made in the last bill.

Mr. PETERS. How much of that has been spent?

Secretary DANIELS. Not very much. During the war we were not able to get work done.

Mr. HICKS. I think the Rivers and Harbors Committee has appropriated money in their bill for dredging there.

Secretary DANIELS. Yes.

Mr. BRITTEN. What is the population of Key West?

Secretary DANIELS. Twenty-five thousand, I think.

Mr. KELLEY. Could not Charleston be used as a submarine base?

Secretary DANIELS. That is too far away.

Mr. BROWNING. I do not think the population of Key West is 25,000.

Secretary DANIELS. Yes, it is; or I would guess that.

Mr. BRITTEN. Have you considered the establishment of a submarine base at the Virgin Islands?

Secretary DANIELS. You would have to spend more money there than at Key West, and it would not be so good for the purpose. We have a station at Key West, and expenditures have already been made there.

Mr. BRITTEN. We have only spent a small amount of money there in comparison with what is being suggested now. That appropriation of $1,025,000 made last year has not been expended.

Secretary DANIELS. We have spent several millions before that at Key West. Key West strategically is the place for this submarine base. It is the strategic point for the Caribbean Sea and the Gulf. I will say this, that when this matter was taken up we went into it very carefully, and so insistent was Admiral Benson that this was the ideal place and the only place that he very strongly urged that it was of such great importance that the President should provide for the water system out of his fund for national defense. It did not seem to me that it was a proper matter to bring before the President to be provided for out of that fund, but that it was a matter for Congress to pass upon. While it was greatly needed, I was not willing to ask the President to consider it, because it was a naval project, and we could not get it done immediately.

It costs the Army about $25,000. If this appropriation is made, it will furnish 4,000,000 gallons a day. The city of Key West will bond for $400,000 to establish a distributing system and pay the Government for the water used by the city, the cost of which is conservatively placed at $125,000. The East Coast Railway has agreed to take water from the Government, and its needs will amount to more than $120,000. It is also proposed to furnish water to the planters on the Keys, over which the pipe line will be laid, for irrigating purposes, thereby greatly increasing their productivity. From this source the Government would derive at first about $75,000 a year. The Government would, therefore, receive from sale of water $220,000 and save approximately $100,000 for water used by the Army and Navy and the cost of upkeep of distilling plants. Competent engineers have placed the cost of operation and maintenance and upkeep at $200,000 a year, leaving a net income to the Government from this investment of approximately 10 per cent a year.

I quote now from the testimony of Rear Admiral Parks before the House Naval Committee on December 6, 1918:

The CHAIRMAN. Please tell us about this submarine base, as a question of policy, and the water system, including the purchase of land and the necessary rights of way, $2,000,000. We should like to have a pretty full exposition of that.

Admiral PARKS. Key West is on a small key, not far from the main Florida coast, and has a small civil population—say, about 20,000 people. It is the terminus of the Florida East Coast Railroad, by which connection is made to Habana. It has certain Army fortifications and usually about 900 men and a naval station of small capacity, where vessels have been based for protection of the passage between the keys and Cuba. The passage is used by the oil ships coming from Mexico and the Texas coast. The whole water supply there is from rain water that is caught and water that is brought in tank cars from the mainland and that secured from condensers. The water from condensers costs $7 a thousand gallons at the present time, and for several months it has been impossible for the Navy Department to secure condenser tubes for short establishments, and all condensers put in have had to be jet condensers. Distillation is always an expensive method of securing fresh water; $7 a thousand gallons is a tremendous high rate to pay for water. The water brought down in tank cars costs approximately $3 a thousand gallons, and tank-car costs necessarily mean more or less congestion on that single railroad to transport those cars back and forth. It has not been found convenient to get and operate sufficient tank cars to give the people an ordinary amount of water, and it is estimated that the people have gotten along there up to last July with about 173,000 gallons a day. That is an entirely too small a quantity for ordinary purposes.

This proposition is unique in these respects:

1. That it is not asked for by the people of Key West as a means of distributing money in the community, but is recommended by the Navy Department for the proper maintenance of present conditions and developments in the naval activities at that place.

2. That it is probably the only project for which an appropriation has ever been asked for the development of the Navy which will afford a handsome financial return from the expenditure.

At the hearing at Key West, from which I have quoted Admiral Parks's testimony, it developed that the amount of water necessary for the improved and enlarged facilities of the naval station at Key West costs the Government about $75,000 a year.

Amendment to the Indian Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM W. HASTINGS,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 25, 1919.

Mr. HASTINGS. Mr. Speaker, I want to discuss briefly the amendment proposed by me to strike out the parenthetical clauses excepting oil and gas leases in the proviso limiting the appropriation of $185,000, in section 18, for expense of administration of the affairs of the Five Civilized Tribes in Oklahoma, so that the amendment will read:

Provided further, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees or their heirs, or in forwarding uncontested agricultural and mineral leases made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order.

It will be seen that this amendment only provides that the undisputed claims or uncontested leases shall be paid, rejected, approved, or disapproved by the Superintendent for the Five Civilized Tribes, and that any aggrieved party has a right to appeal from the decision or order of the superintendent to the Secretary of the Interior within 30 days. There ought not to be any objection to this amendment.

In the first place, it will be noted that no supervision is taken away from any restricted Indian, but that supervision only in undisputed claims and uncontested leases is transferred from the Secretary of the Interior to the Superintendent for the Five Civilized Tribes.

Let us examine the amendment and see what is attempted to be accomplished by it and why it should be enacted, and if there could be any legitimate objection to it.

In the first place, the Superintendent for the Five Civilized Tribes is a Federal official, nominated by the President and confirmed by the Senate, and is on a par with the Commissioner of Indian Affairs. He is located at Muskogee, Okla., where all of the enrollment, allotment, and other records of the members of the Five Civilized Tribes are kept. He has approximately 250 civil-service employees under him. He has numerous field clerks and other employees, stationed in practically every county in eastern Oklahoma where restricted Indians reside. He can call upon them for any information with reference to any claim presented or lease submitted for approval. He has in his office a bureau headed by an expert oil man, who has under him assistants to ascertain all the facts necessary to arrive at a fair value for any lease on any tract of land allotted to a restricted member of the Five Civilized Tribes. These men are honest, experienced, and competent, and this amendment seeks only to confer upon the superintendent authority to approve undisputed claims and uncontested leases.

There were enrolled as members of the Five Civilized Tribes 101,506 persons. Of them 78,101 were citizens by blood and 37,167 were enrolled as restricted Indians, being of one-half or more Indian blood. The original rolls were made in 1902 and the newborn children were enrolled up to March 4, 1906. It is estimated that one-third of the enrolled members of these tribes are dead. Restrictions have been removed from many under existing law, and it is estimated that there are remaining 23,441 living restricted members of the Five Civilized Tribes. As before stated, the amendment does not take away any supervision over any restricted Indian, and it does not, as some assert, transfer the supervision to locally elected officers in Oklahoma, but to trusted, competent Federal officials, all of whom, save the superintendent, are under the civil service. There are about as many

employees under the superintendent at Muskogee as there are under the Commissioner of Indian Affairs in Washington, and it is contended that inasmuch as all the records are in Muskogee and that inasmuch as a large number of field clerks are scattered over the eastern part of Oklahoma, with whom the superintendent can communicate by letter, telephone, or telegraph, the office there is in a much better position with first-hand information to serve and protect the restricted Indians than Federal employees in Washington, 1,500 miles away.

The report of the Superintendent for the Five Civilized Tribes for the year ending June 30, 1918, at page 44, shows that 6,842 letters were received from the department for the fiscal year, or an average of about 22 daily; and the same report shows that 7,475 letters were mailed the department, or an average of about 25 daily.

When I came to Congress three years ago every agricultural lease had to be forwarded to Washington for approval, and every claim of every kind and character, payable out of restricted Indian money, had to be sent to Washington for approval, as well as all oil and gas leases. There were many vexatious delays. Instances were brought to my attention where claims were sent backward and forward; first through the local field clerk; then the superintendent at Muskogee; and then through the Commissioner of Indian Affairs at Washington to the Department of the Interior for approval. They were sent back for additional information and returned to Washington, so that oftentimes it took two or three years to get claims paid. Practically, no agricultural leases were sent the department for approval. The law was ignored because of these delays.

At that time an investigation disclosed that it took an average of three to six months to get oil leases approved. Last year Congress remedied this in part by providing that the undisputed claims might be paid and that all leases, other than oil and gas, might be approved by the superintendent. This present amendment only enlarges that supervision by giving the superintendent authority to approve all leases, including oil and gas, which are uncontested. When an oil lease is submitted for approval the enrollment and allotment records are looked up. The status of the allottee is examined. Information is secured through the oil bureau of the superintendent as to the bonus value of the land, the production, depth of the sand, and every other fact necessary to determine whether the lease should be approved. Under existing law a report has to be prepared by the superintendent and forwarded through the Commissioner of Indian Affairs to the Secretary of the Interior for approval.

These leases are all made on approved printed forms, and while it does not now take as long as it did three years ago, when threatened legislation expedited consideration of them, there are still many unnecessary delays in the forwarding for approval of oil and gas leases. The result is a loss to the restricted Indian, because it is well known in Oklahoma that a commercial lease is more valuable than a lease upon land owned by a restricted Indian. One of the reasons for the difference is the delay in forwarding the lease for approval to the department at Washington. There can be no excuse for it. No one assigns a good reason for it. No one asserts that there is any additional information in the Indian Office at Washington. All the information is submitted in the report of the Superintendent for the Five Civilized Tribes in each instance. It is a pro forma matter, purely perfunctory. It results in delays and is not helpful to the Indian.

When a lease is made the lessee has to make arrangements for money with which to drill the lease. He pays a premium upon the bond which he must give in each case. In times past the lessee, in order to secure prompt action from the department, either engaged a representative in Washington, wired or wrote his Congressman, or sent a representative here from Oklahoma to urge early action upon his lease.

Of course, this legislation is opposed by the department, as it opposes all legislation that may confer greater authority upon any officials in the field outside of the city of Washington. Every department opposes decentralization and every department will talk about "checks and balances," as if there were something magical about the term. Every member of the Oklahoma delegation favors this legislation and every Indian, restricted and unrestricted, without exception, who is not in the employ of the Government, and therefore, not under the influence of the department, favors this legislation. It would result in having quicker action upon the claims and leases submitted for approval and the rights of the restricted Indians would be preserved. In the event of anyone being dissatisfied with any action on the part of the superintendent, he would have the right of appeal to the Secretary of the Interior. The oil and gas leases upon the land of a restricted Indian will then be as valuable as if given upon the land of an unrestricted Indian.

This would not only be advantageous to the Indians but it would result in a great saving to the Government in that thousands of letters and reports would not have to be prepared and forwarded by the superintendent to the department. It would result in a reduction of the clerical force, not only in the office of the superintendent at Muskogee but in the department in Washington receiving these letters and reports, examining, passing upon, and returning them. The money thus appropriated for the Superintendent for the Five Civilized Tribes could be used, in my judgment, to a better advantage for the restricted members of the tribe, because more field men, more expert farmers, and more field matrons could be employed to go out among the Indians and assist them in a practical way to learn farming, gardening, stock raising, and how to care for their homes, which would greatly benefit them. It would certainly help them much more than if the money is spent for stenographers and clerks to prepare and forward reports on undisputed claims and uncontested leases. Remember always that civil-service employees of the Government in Oklahoma are charged with the duty and responsibility of carefully safeguarding the rights of the restricted Indians and that this amendment does not remove any of these safeguards.

I was reared in the Indian Territory and am a member of the Cherokee Tribe. I have represented the Cherokees all my life, before coming to Congress. As a member of the tribe, I assert that so far as I know, every other member of the Cherokee Tribe and every member of the other Five Civilized Tribes, not under the influence of the department, favors this legislation. It can not be harmful to the Indians themselves. They have suffered from the delays incident to this system too long. I have lived under long-distance government all of my life, and I hate it more than words can tell. These Indians for 100 years governed themselves. They had their own schools, their own courts, and their own legislature. They made their own laws, and the individual members made their own contracts. This amendment only asks that the restricted members may have the privilege of going before a representative of the Federal Government, see him in person, explain the matters involved, and get expeditious action upon it at home, with the right of appeal in the event anyone is aggrieved. I assert that the rights of the restricted Indians are protected by the amendment, and that the amendment as written in the bill should be retained therein.

The Naval Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. HUDDLESTON. Mr. Speaker, the bill as presented carries an appropriation for the Navy for the fiscal year beginning July 1, 1919, and in addition to this legitimate purpose the bill commits the United States definitely to a policy of vast naval expansion. This policy to which our country is thus to be committed is to have the greatest Navy in the world; it is the policy of naval competition in which we express the purpose to allow no nation of the world to exceed us in naval armament.

We see that the bill has two purposes: First, to maintain our present Navy and to build ships authorized by previous Congresses, and, second, to definitely commit our country to this new policy of competition in armaments.

NO ADEQUATE PROVISION FOR DISCHARGE OF ENLISTED MEN.

I seriously object to the bill as an appropriation bill, for the reason that it makes no adequate provision for the discharge of men in the Navy who enlisted for the duration of the war. The war is over. These men now feel that they should be discharged. The bill does not provide for this. They may be retained in service within the number appropriated for until their places can be filled according to the leisurely methods of recruiting now being followed, unless perchance articles of peace should be signed and the President proclaim the end of the war before that time. It is very clear, as to the majority of the enlisted men now in the Navy, that they can not be discharged within the next four to six months.

I am dissatisfied with this aspect of the bill and would be reluctant to accept it even were it not loaded down with the objectionable provision committing us to a policy of navalism of an extreme and dangerous type. I think our boys who have enlisted in the Navy are entitled to their discharges. We owe it to them that they shall not be retained longer than absolutely necessary. Their families have need of them. They wish to go home and to engage in business and take up the normal course of their lives. I feel it is unjust that they should be retained in the Navy merely to keep in commission ships for which there is no present need.

A SPECIOUS ARGUMENT.

We are urged to commit our country at this time to a policy of competitive naval expansion with the argument that in some mysterious way the adoption of this measure will strengthen the President's hands and enable him to induce the nations to agree at the peace table upon a policy of disarmament. *We are urged to adopt a policy of armaments in order to get other nations to agree to disarm.* That is the argument that is now being used in behalf of this bill. This argument can have no validity unless it means that we are to use the threat of building a vast Navy as a means of bringing other nations to terms. We are to hold the big stick over other nations and to coerce by threats. The mere statement of the argument refutes it. It is childish and unworthy. It places our Nation upon the low and contemptible plane of the bully. It compromises the dignity of the Government of a great and free people. I will not place my country in such an unworthy position.

The excuse for entering upon this policy that it will help the President is a mere pretense; it is not based in sincerity. I remember that in October last the Secretary of the Navy brought forward this identical plan and policy. He then announced that it was to be presented to Congress and its approval asked. That was before the armistice had been proposed or signed. At that time the policy was a war measure. Everyone expected when the armistice was signed that the policy would be abandoned. It was most surprising to learn from the President's address to Congress when it assembled in December that he still approved the program. His address, by clear implication, urged it. We did not know then that Germany was utterly crushed, and many believed that the policy of vast naval expansion was being urged as a measure against Germany still as a war measure. The American people had fought to end all war and to make future peace secure. The war had been won and greater armaments seemed uncalled for. No one dreamed that the conference then about to be assembled in Paris would not agree on disarmament. No differences of opinion had then arisen.

The proceedings of the peace conference have proceeded along the lines contemplated. We have no information that differences on disarmament have arisen. For all we know the situation is the same as it was before the conference assembled, except that we now know that Germany is wholly crushed and can not be again for generations a threat to the peace of the world.

We find that the policy of competitive building of fleets was desired first as a war measure, next as a measure in contemplation of an uncrushed Germany, and now is desired either as a permanent peace measure or as a big stick, to coerce our late war associates into agreeing to a satisfactory peace. The situation is absurd. The reasons presented are specious. If there be any good reason for entering upon this policy at the present time it has not been given us. We are acting in the dark. Somehow I can not get myself to believe that the measure is in furtherance of any definite or well-considered purpose.

THIS IS NO TIME TO ADOPT A NAVAL POLICY.

Of all the times in our history for the adoption of a definite naval policy this is the least appropriate. No man can now definitely say just what such a policy should be. If the peace conference decides upon disarmament, then no program of naval expansion can be entered on. If the conference limits armaments, of course the United States must conform to the limits adopted. If we are to go back to the old system of each nation adopting its own policy in the matter of armaments it will be plenty of time for us to decide what we will do after the conference adjourns. We do not propose to begin the building of the ships which constitute the program until 1921. We can not get ready to begin until that time, for our yards and ways will be occupied with ships already authorized and contracted for. We can not begin on the new program until 1921. At least two sessions of Congress will be held before that time. The adoption of a naval policy should be left to these sessions—the next Congress. It must provide and appropriate the money for the program; why should not the adoption of the program be left to it?

Summing up on this point, we find that we are now being asked to adopt a naval policy now on the least timely occasion and when we can not know what policy we should adopt. And, further, we are asked to adopt this policy now, when there is no reason why its consideration should not be deferred until the next Congress. No time is gained by adopting the policy now. No advantage can be had over its consideration by the next Congress. Can it be possible that the pressure to adopt the policy now comes out of the fear that the next Congress will not be willing to adopt it? If such be the case, still, nothing is gained, for the next Congress must make the appropriation; and if it does not approve the policy it will not appropriate the money to carry it out. I stand in amaze, and in no way that I look can I see reasons which would lead Members of Congress, acting on their own judgment, to support this measure at this time.

A POLICY THAT WILL LEAD TO WAR.

I am unwilling to enter upon a policy of naval competition. It is a policy that will lead to war. The situation of our country and its foreign policy does not require that we shall have the most powerful navy. Other countries are more dangerously situated. They are more dependent upon fleets to defend their sources of supply and their colonial systems. We have no hazards of that kind. If other nations of the world act foolishly, we have no need to compete with them in their folly. Rather than do so and be led eventually into a war, I should prefer raising the big stick now and threatening the world; not that we will compete in fleets and armies, but that we will fight them if they do not accept the policy of small armaments. I had as lief fight now as a few years hence, especially if the interval is to be spent in preparation by all sides so as to make the war more bloody and disastrous.

EXTENSION OF REMARKS

OF

HON. HENRY I. EMERSON,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 17, 1919.

Mr. EMERSON. Mr. Speaker, under my leave to revise and extend my remarks I desire to have printed a few of the many letters received by me in favor of the Caldwell bill. Out of the many received I have selected a few from some of the leading and most highly respected citizens of Cleveland, Ohio, as follows:

CLEVELAND, *February 14, 1919.*

HENRY I. EMERSON, Esq.,
House of Representatives, Washington, D. C.

DEAR SIR: I have just been advised that Representative CALDWELL, of New York, has introduced a resolution in the House calling on the War Department to loan certain machine tools, which were purchased by the Government, to technical schools and universities for technical purposes.

As president of the board of trustees of the University School of Cleveland, I would like to call your attention to the work that school is doing and ask you to lend such assistance as you can to the passage of this resolution and to consider favorably the application of the University School for consideration in the distribution of this equipment.

This school was founded nearly 30 years ago in the interest of broader education of boys in Cleveland, and has had for its object the training of boys, from the time they are ready to go to school until they enter college, along very broad and comprehensive lines.

We try to give equal attention to the physical, manual, and mental development of our boys, and I believe this school was one of the very first to combine the manual training with regular scholastic instruction.

This school, which has borne a prominent part in Cleveland affairs for 30 years, is run for the benefit of the community and not for profit, and the accomplishments of our boys in national service in the last two years is a record of which the trustees are very proud.

Any assistance that you could give to the furtherance of the idea embodied in this resolution and securing for us an opportunity to obtain a proper share of this equipment would be very greatly appreciated.

I am taking the liberty of inclosing a pamphlet showing some of the war-time activities of the school, which is about six months old, since which further developments have added considerably to this good record.

Yours, respectfully,

HENRY S. PICKANDS.

CLEVELAND, OHIO, *February 14, 1919.*

HON. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

MY DEAR MR. EMERSON: I am advised that Representative CALDWELL, of New York State, has recently introduced a bill reading as follows:

"To provide for further educational facilities by requiring the War Department to loan certain tools not used for Government purposes to trade and technical schools and universities, and for other purposes.

"*Be it enacted, etc.*, That the Secretary of War shall loan to trade and technical schools and universities and other recognized educational institutions which in the discretion of the Secretary of War shall have such equipment the machine tools suitable for their use which are owned by the United States of America, which are under the control of the War Department, and which are not being used for Government purposes."

I am interested in the passage of this bill because I am a trustee of University School, which has a 30-year record of practical and successful manual training and would be materially benefited by receiving some of these tools to replace those that are worn out in their service.

Trusting that you may feel at liberty to vote in favor of this bill when it comes up for action, believe me, to remain,

Very truly, yours,

SAML. MATHER.

CLEVELAND, *February 14, 1919.*

Hon. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

DEAR SIR: I understand that Representative CALDWELL, of New York, has recently introduced a bill, which will come up for action within a few days—

"To provide for further educational facilities by requiring the War Department to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes."

As a trustee of the University School of Cleveland, Ohio, I hope that you will be able to give this bill your support, as I believe that the effect of same will be beneficial to the students of the University School.

I hope that you will find that you can consistently vote favorably on the bill.

Respectfully, yours,

E. S. BURKE, JR.

CLEVELAND, OHIO, *February 14, 1919.*

Hon. HENRY I. EMERSON,
Washington, D. C.

DEAR SIR: Representative CALDWELL, of New York, has introduced recently the following bill, which will come up for action within a few days:

"To provide for further educational facilities by requiring the Government to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes."

The passage of this bill would solve the disposition of a lot of these tools from an industrial standpoint, and would increase the cause of education by enabling schools to have more modern tools.

I am interested in the passage of the bill, as I am a trustee of the University School of this city, and I am in hopes that it will have your approval and support.

Respectfully, yours,

E. V. HALE.

CLEVELAND, *February 14, 1919.*

Hon. HENRY I. EMERSON,
House of Representatives, Washington, D. C.

DEAR MR. EMERSON: Representative CALDWELL, of New York, has introduced recently the following bill, which will come up for action within a few days:

"To provide for further educational facilities by requiring the War Department to loan certain tools not in use for Government purposes to trade and technical schools and universities, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War shall lend to trade and technical schools and universities and other recognized educational institutions which, in the discretion of the Secretary of War, should have such equipment the machine tools suitable for their use which are owned by the United States of America, which are under the control of the War Department, and which are not being used for Government purposes."

As trustee of the University School of Cleveland, I will appreciate it very much if you will lend your influence to the passage of this bill.

Yours, very truly,

G. A. COULTON.

Concurrent Resolution of Legislature of North Dakota Respecting the Wheat Price Guaranty.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Friday, February 14, 1919,

On the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. YOUNG of North Dakota. Mr. Speaker, I believe it is pertinent to the discussion of this bill to consider the arguments found in the concurrent resolution of the Legislature of North Dakota in favor of legislation to enable the President to keep faith with the wheat growers and make good to them the guarantees contained in his proclamation of September 2, 1918. The war having come to an end suddenly, our Government must honorably discharge all just obligations, no matter how much it costs. This is a liquidation period. I think we can trust the Cabinet Secretaries to pay only the claims which are just. To do less than that would be dishonorable. I therefore vote "no" upon the motion to recommit for the purpose of striking out section 5. The concurrent resolution is in the following words:

Concurrent resolution relating to the fixing of the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago.

Whereas the President of the United States by his proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago; and

Whereas upon the faith of said proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production and have incurred great obligations on that account; and

Whereas it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's proclamation; and

Whereas the farmers of North Dakota, as well as all other wheat-raising districts of the United States, have acted in good faith upon the said proclamation of the President, and in case Congress fails to make the said proclamation of the President effective such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States, as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we earnestly urge Congress to pass such measure as will make the said proclamation of the President effective; be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress and to the chairman of the Committee on Agriculture in both Houses of Congress.

Investigation of the National Security League.

EXTENSION OF REMARKS
OF
HON. EDWARD J. KING,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Monday, February 17, 1919.

Mr. KING. Mr. Speaker, under leave to extend my remarks in the RECORD I insert the following statement made on February 5, 1919, before the special committee of the House of Representatives on House resolution 469 and House resolution 476, to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purposes of the National Security League, a corporation of New York, and of any associated organizations.

The committee met at 2 p. m., Hon. BEN JOHNSON, chairman, presiding. Other members of the committee were Hon. C. F. REAVIS, Hon. JOSEPH WALSH, Hon. E. E. BROWNE, Hon. PAT HARRISON, Hon. E. W. SAUNDERS, and Hon. T. H. CARAWAY.

Mr. KING was asked to testify. His testimony was as follows, to wit:

Mr. JOHNSON. Give the stenographer your name.
Mr. KING. Edward J. King.
Mr. JOHNSON. You are a Member of Congress?
Mr. KING. I am.
Mr. JOHNSON. How long have you been a Member of Congress?
Mr. KING. It will be four years the 4th of March, 1919.
Mr. JOHNSON. Your residence is where?
Mr. KING. Galesburg, Ill.

Mr. JOHNSON. Mr. King, Mr. Menken, the first president of the National Security League, testified over and over again that the National Security League was at no time engaging in politics. Col. Leydecker, the present president of the league, over and over again has testified accordingly. Charles D. Orth, who was chairman of the congressional campaign committee of the National Security League, also stated under oath many, many times that the National Security League was in no way meddling with politics. If you have any knowledge to the contrary, the committee would be glad to hear you tell what it is. State it in your own way.

Mr. KING. Shall I just start at the beginning and give the committee a history of matters touching upon these statements made by Col. Leydecker and others, so far as I am concerned?

Mr. JOHNSON. Not only so far as Col. Leydecker is concerned, but in so far as the National Security League, as a league, is concerned.

Mr. KING. Yes, sir. Practically the first intimation which I had of the activities of the National Security League in the last congressional campaign was when I received a letter from Mr. Emil C. Wetten, of Chicago, which, some time ago, I turned over to Mr. Browne, and which I should like to have to refer to just a moment.

Mr. BROWNE. There is a copy of all these letters.

Mr. KING. Have you, Mr. Browne, a carbon copy of the letter which I turned over to you?

Mr. BROWNE. No; I handed you back all the papers there that you gave to me.

Mr. KING. I think, perhaps, that is true.

Mr. JOHNSON. You have the carbon copy; have you?

Mr. KING. I have in my hand the carbon copy of a letter I received. I received a carbon copy from Mr. Emil C. Wetten there, no doubt on account of the fact that he sent the original of the letter to Washington and sent this carbon copy to Galesburg. I will not read this, because I presume it is the same letter which has been heretofore introduced in evidence. If it is not, I will ask to have it inserted.

Mr. BROWNE. It has not been put in.

Mr. JOHNSON. As it has not been heretofore inserted in the record, it had better go in just here.

(The letter referred to is printed in full below:)

"AUGUST 23, 1918.

"DEAR CONGRESSMAN: The National Security League has appointed a special congressional committee to consider the candidacy of all those seeking nomination at the coming primary from Illinois, somewhat along the lines of the Legislative and Municipal Voters League. Some of the candidates have requested the privilege of appearing before the

committee. We have, therefore, concluded to give every one an opportunity to do so, if they so desire.

"What is your pleasure in the matter, and is there any possibility of your being in Chicago during the coming week. The committee would like to make its report Saturday, August 31—

The primaries took place September 11—

"A reply by wire will be very much appreciated.

"Yours, very truly,

"EMIL C. WETTEN, *Chairman.*

"Hon. EDWARD J. KING,

"*House of Representatives, Washington, D. C.*"

(Carbon copy of this letter to Mr. KING at Galesburg, Ill.)

Mr. KING. I was, then, mistaken. This carbon copy was sent to Galesburg and the original to Washington. Upon receipt of this letter, there being no place at which the summons was returnable, I wired to the National Security League at New York City for the purpose of ascertaining at which point in Chicago I was summoned to appear. I got a wire from them that their office, the Chicago branch, was, I think, on Jackson Boulevard; the number I do not remember now, but it seems to me it was 51. It has been stated in the evidence here, in glancing over the evidence of Mr. Britten (Brundage), it was a very simple matter, and that Congressmen were given the privilege of siding with them, as he expressed it, if they so desired, and really he was under no obligations whatever to do so.

Mr. JOHNSON. The first telegram amounted to virtually a demand upon every Member to appear, did it not?

Mr. KING. In view of the fact that the Chicago papers, clipping of which I have here and will insert in the record, if the committee deems it material—I will refer to it occasionally—in view of the fact that in the Chicago papers had been published a few days before that an article, no doubt at the suggestion and with the connivance of this branch of the National League, or at least some of its individual members. This article appeared headed "Candidates face loyalty test of the Security League—Organized to fight those with antiwar records," and then it goes on to state that vigorous attack on disloyalty candidates will be launched soon by the Chicago branch of the National League, a patriotic, educational organization.

And the candidates it mentions, and so forth, and it mentions the fact that Roosevelt—and asked this question that Alton B. Parker has asked, and, if the committee will pardon the suggestion and without seeming to be prejudiced in the matter, I would respectfully suggest that both of these gentlemen have been probably requested to do so as a basis of the newspaper articles.

Mr. REAVIS. I will state to you, Mr. King, that both the letters of Roosevelt and Parker are in the record.

Mr. KING. Yes; I read them.

Mr. REAVIS. And they are not entirely in harmony with the newspaper account, either.

Mr. KING. This article goes on to state who the members of the inquisitorial committee are, naming them: Emil C. Wetten, H. H. Merrick, Edgar A. Bancroft, Homer J. Buckley, John F. Smulski, Peter S. Lambros, James A. Patton, Cyrus McCormick, Joseph W. Moses, Edward S. Gore, William B. Austin, and H. H. Latham. The first meeting of this committee will be held Friday afternoon in the office of the chairman, Mr. Wetten.

I am not certain of the date of this article, but it was very shortly before I was summoned to Chicago.

Mr. REAVIS. I think that clipping ought to go into the record, Mr. Chairman.

Mr. JOHNSON. You will turn that over to the stenographer to put the newspaper article in the record.

Mr. KING. I will be very glad to. I would like to refer to it.

Mr. JOHNSON. The stenographer will put it in at this point.

Mr. KING. Yes, sir.

(The newspaper article referred to is printed in full below:)

PLATFORM PLANKS OFFERED.

"A tentative patriotic plank for convention platforms was drawn up at the meetings. It will probably be urged upon all political parties and candidates for office. It follows:

"'We declare that it is the supreme task of the civilized world to crush the insolent attempt of German autocracy to substitute a military dictatorship for self-government and the right of independent thought.

"'The world must be made safe for democracy by the defeat of German militarism.

"'We want no peace without victory and we demand victory so complete and conclusive that military ambition will be forever silenced and a peace secured that will make an end of war.

FOR LEAGUE OF NATIONS.

"'The world must be made safe by the cooperation of the major force of mankind, and that force should be organized by a league of nations to keep peace after the war.

"'We favor the entrance of the United States, after the war, into such a league of nations as may be adequate to safeguard the peace that must be won by the joint military forces of the allied nations.'

"Merrick and Homer Buckley were reelected president and secretary of the league, respectively, at yesterday's session. The following were elected vice presidents: William Wrigly, jr., John J. Mitchell, James J. Patton, and Cyrus McCormick. Edgar A. Bancroft was elected chairman of the executive committee and John T. Stockton chairman of the general committee.

CANDIDATES FACE LOYALTY TEST OF SECURITY LEAGUE ORGANIZATION TO FIGHT THOSE WITH ANTIWAR RECORDS.

"A vigorous attack on disloyal and antiwar candidates for the Senate and House of Representatives will be launched soon by the Chicago branch of the National Security League, a patriotic educational organization.

"The candidates' records in public office, if they have held any, their opinions on the war, and their spoken comment will be rigorously examined by a committee of the league during the next two weeks.

"Those candidates who do not pass the acid test of loyalty will be assailed by pamphlets and letters to the voters describing their records, by public speakers, and by newspaper publicity. To remove any possible stigma of politics no loyal candidates will receive any active aid toward election.

ROOSEVELT ASKS ACTION.

"This was decided yesterday at a meeting of the executive and general committee of the league in response to letters asking for the election of loyal men only in war time, sent to the New York offices of the organization by ex-President Roosevelt and Alton B. Parker, former Democratic candidate for the Presidency.

"A committee of 12 officers and members of the league was appointed by H. H. Merrick, president of the local branch, to delve into the candidates' records. Those on the committee are the following: Emil C. Wetten, chairman; H. H. Merrick, Edgar Bancroft, Homer J. Buckley, John F. Smulski, Peter S. Lambros, James A. Patten, Cyrus McCormick, Joseph W. Moses, Edward S. Gore, William B. Austin, and H. H. Latham. The first meeting of this committee will be held Friday afternoon in the office of Chairman Wetten."

Mr. JOHNSON. Now, go ahead and comment on it.

Mr. KING. A tentative patriotic plank was drawn up, and so on, and some other forms, which was not material except as to give the cast of extreme patriotism over the article, and especially over the individual members of the National Security League or of the Chicago branch.

Now, this paper, whichever it was, and I can not tell from the article, circulates not only in the city of Chicago, but circulates through the northern half of Illinois very extensively, besides Wisconsin, Iowa, and other States. The committee understand that very thoroughly.

Mr. JOHNSON. There is a bell for roll call. I think we had better take a recess and come back after.

(Thereupon the committee took a recess and reconvened at 3.25 o'clock p. m.

AFTER RECESS.

Mr. JOHNSON. You may go on, Mr. King.

Mr. KING. Not only do these Chicago papers circulate very extensively through the States that I have mentioned, but they circulate through all the Congressional districts in Illinois, probably as far south as East St. Louis, and the farther south you go the more sparsely do they circulate. The fifteenth congressional district, which I have the honor of representing, is about 200 miles long, extending from Geneseo to Quincy, Ill., on the river. People read these papers, especially the morning papers, every morning, and while it is said they do not have much influence in the city of Chicago, they do have a good deal of influence in the country districts. After this article appears and after another one appears, copy of which I do not have, stating that Congressman Juul would be called before the committee, and probably that Congressman King, of the Fifteenth Illinois district, or from the Galesburg district, would be called on Friday or Saturday, giving the date. After this publicity had been given to the matter in the heat of quite a primary contest at which all kinds of false charges were being made, and people being very alert on matters of this kind, the mere mention of it that you were to be called before such a committee on the question of your loyalty was then and there practically an indictment against a man, and in the minds of many people he was then and there found guilty before being tried.

Mr. JOHNSON. Equivalent to saying that a woman was going to be called and questioned as to her virtue?

Mr. KING. Yes, sir. Had the people known who the individuals were and had studied the situation that there was back of the National Security League, as now disclosed by the evidence before this committee, and had the people of my district known that the members of the Chicago branch were certain individuals who were well known to the district in their activities with our national life, well known, they would have immediately said they cared nothing about it, and it would have added very materially to anybody's vote whom they had seen fit to attack. But it was designated the National Security League.

Mr. REAVIS. When you bring that indictment against these individuals, do you mean the members of this executive committee, the officers of the National Security League?

Mr. KING. I was referring when speaking of my section of the country to one particular member of the executive committee of the Chicago branch, whose name I intended to mention a little later on in the evidence.

Mr. REAVIS. I do not want to interrupt your line of thought, but I was curious to know whether that reflection was directed toward this so-called executive committee of the congressional committee or toward certain members not in the executive committee.

Mr. KING. I intended to include in that the fact that if the people had known in the district not only as to certain members of the executive committee, but had they known who was back of this institution in the city of New York as a national proposition, which has been brought out by this committee in its investigation, it would have made a whole lot of difference in the way people have made up their minds in the Middle West. But they didn't know it. What I am trying to get before the committee now is to show the effect that publications of this kind, which were given out presumably by Mr. Wetten or some other member of this Chicago branch. Mr. Merrick said, in testifying here, that there was a crowd of newspaper men around the outside door of the office every time they would have a meeting.

Members are perfectly familiar, and it might be put in the record, that these leagues or organizations are frequently organized for the purpose of getting publicity without being brought to trial in a personal damage suit for things they might say individually by organizing a branch, having an office, having the newspaper boys come over every morning and get statements to which nobody might care to put their individual names, they were able to attack the character of citizens and candidates with impunity. Now, they had that power over the press in Chicago and publicity given to everything they did and men attacked whom they sought to destroy in the State. I regarded the mere suggestion in the newspaper mentioning my name, and especially this letter from Mr. Wetten, of Chicago, inviting me to sit with them, as they said in Mr. Merrick's testimony——

Mr. JOHNSON. For the purpose of determining your loyalty.

Mr. KING. Yes; for the purpose of determining my loyalty. I regarded that as just as strong a summons as would come from any court in the land; in fact, stronger. I regarded that just as strong as though some guard in the Middle Ages had come with their halberds and torches and taken me out of bed in the middle of the night, and conducted me up into the city of Chicago for the purpose of appearing before practically an unknown committee.

Mr. JOHNSON. It is a direct challenge of your loyalty.

Mr. KING. Yes, sir; and certainly very few of them knew me personally. So, therefore, this so-called "invitation" of Mr. Merrick's, which was a proposition for the Members of Congress to "sit with" them, as he said was in effect a summons to come before that committee and talk it over with them.

Any man will run to the defense of his loyalty whenever it is attacked. Regarding this as a matter of importance as I did, I consulted with some friends at home. We went to Chicago the day before

the inquisition was set for. We asked a friend of ours if he would go down to the National Security headquarters, at 51 Jackson Boulevard, or whatever the place was. He did go down there and returned. He said he did not find anything there except the name, National Security League, on the door, and at the bottom of the glass, the door there, somebody had a law office in there. I went in and could not find anybody there representing the league but a young lady stenographer; said what was wanted, and she said, I believe there is something like that here, and she reached down there and pulled out the lower drawer of the desk and brought out a typewritten list and handed it to my friend, who, had he not been a perfect gentleman, would have retained it. Being a perfect gentleman, he gave it back to the lady. But he was a Chicago man and knew almost all of the names on that list and remembered a great many of them, whom he told me about. He mentioned all these names that were on this special congressional committee, and he said this remark: "They all live here in Chicago. They are all big business men, and every damned one of them is a profiteer." Those were the remarks he made to me. That is hearsay, but sometimes you can develop things by hearsay you can not any other way. The names he reported to me indicated the gentleman knew what he was talking about. Then we found out who was the committee who was to hear the case. It consisted of Emil C. Wetten, chairman; H. H. Merrick, Joseph N. Moses, W. B. Austin, Peter S. Lambros, H. H. Latham, James A. Patton, Cyrus McCormick, John F. Smulski, and Edgar A. Bancroft. The following were not present at the inquisition: Mr. James A. Patton, Mr. Cyrus A. McCormick, Mr. Joseph W. Moses, Mr. E. A. Bancroft. Mr. James A. Patton was very sick at the time. Mr. James A. Patton is the man who cornered the corn market a number of years ago, known as the Corn King.

Mr. BEAVIS. He cornered the wheat market, known as the Wheat King.

Mr. KING. The Wheat King. Mr. Patton was the man who, just prior to the declaration of war, bought up millions and millions of bushels of wheat for the National Biscuit Co. and had it stored away out of the reach of the common masses. Mr. Cyrus A. McCormick is in the International Harvester Co. that manufactures all the harvester implements, farm implements, practically, for the country, known as the Harvester Trust.

Mr. JOHNSON. During the war the price did not go up more than two or three hundred per cent.

Mr. KING. I don't think it went up over 300 per cent, but it is very close to it. John F. Smulski is a Pole, connected with politics sometimes in the State of Illinois, and was at one time the State treasurer. I was informed and have heard it before, and I state it practically here, as near being a fact as anyone can without seeing it, that he wears the decoration, and that he had presented to him, but whether he wore it during the war, I do not know, a decoration from the Austrian Emperor.

Mr. JOHNSON. To whom do you refer now?

Mr. KING. Mr. John F. Smulski.

Mr. JOHNSON. What nationality is he?

Mr. KING. He is a Pole. That is, he is a naturalized Pole, I think; born in Poland, probably educated in this country, a very bright, smart fellow, by the way, as far as that is concerned. Then Edgar A. Bancroft is the head and front of the Harvester Trust.

Mr. HARRISON. Of what trust?

Mr. KING. The Harvester Trust.

Mr. BROWN. Is he a lawyer?

Mr. KING. He is an attorney. He was very modest and gracious in his testimony before the committee, but there is the head and front of the whole business right there. The gentleman from Mississippi examined him and found him a very pleasant gentleman. At one time he lived in my town, as shown by the evidence of Mr. Lambrose, the editor of the Greek Star. He said, in effect, that Mr. Bancroft having lived in Mr. KING's town, he left that section to Mr. Bancroft.

Mr. JOHNSON. The Mr. KING referred to is yourself.

Mr. KING. As soon as I got into Chicago and found his name there on the list I could account for many mysteries that had not been cleared up in my mind before. I will not go into the personal matters between Mr. Bancroft and myself, because it would not throw any particular light upon this, except that it showed that individuals for the purpose of private revenge could use, as occasion required, the influence of the National Security League to get scurrilous matters against former enemies, apparently, into the Chicago newspapers. The Chicago newspapers published, as I say, everything that was requested by the National Security League. The Chicago Post, the Chicago News, and the Chicago Journal each made vicious attacks upon myself and Mr. BRITTEN. Mr. Bancroft was in Mr. BRITTEN's district and Mr. Bancroft was fighting Mr. BRITTEN, and in order to make the articles appear that they were not directed particularly against Mr. BRITTEN he thought about his former home and reaches down and gets hold of me and includes me in the article.

The articles could be produced, but I don't think it is necessary for this hearing. Of course, the articles said in plain words that we, BRITTEN and KING, were disloyal to the United States.

Mr. JOHNSON. Both you and Mr. BRITTEN?

Mr. KING. Yes, sir. Those articles, in order to help my opponent, were printed in a Chicago paper, and I wasn't running in Chicago, and probably for the benefit of somebody else in the district against me, because they were published in full-page advertising at advertising rates in every paper in the sixteenth congressional district. Now, Mr. Bancroft is the chief counsel for the International Harvester Co. It is not particularly on personal grounds—I perhaps ought not to say this, on personal grounds, because it is so many years ago, but I have found that in this campaign men whom I had excused from juries 30 years before; men whom I might have had some collection against, or a suit against, all rose up as one man, and they found that they couldn't vote for me on account of my war record. They never stated the real reason. Men whom I had supposed had been dead for 30 years—every enemy, almost, walked out of the graveyards to bring up some ancient grudge which they bore a fellow. Now, that is enough on that feature of it, but there is something else.

Bancroft used to lobby down at Springfield. I was a member of the Illinois State Legislature for eight years, and for four years of that time I was chairman of the committee on labor and industrial affairs. Of course, as chairman of that committee, I naturally had a great deal of labor legislation before me, and I always found Mr. Bancroft and his assistants vigorously opposed to anything along that line of such a nature as the workmen's compensation act, of which I had considerable charge.

Mr. JOHNSON. Which side of the question was he opposed to?

Mr. KING. He was opposed to anything that would change the present conditions with reference to labor as they stood at that time in the State of Illinois. I received many letters from him. Further than that, I introduced probably the first liability bill—I am not saying this boastfully at all—in the Illinois State Legislature, which was intended to remove what was known as the "death warrant" clause out of relief contracts. Railroad companies, especially the Burlington, organized a relief association which they required all the members to join, and in joining they had to sign an application, a clause of which said if they accepted any money from the company they waived all damages; and on the other hand if they sued the company they lost their insurance under the release. So the poor fellows got it coming and going. This was simply directed at that feature, but the International Harvester Co., with other organizations of that character, they maintaining a relief system for themselves among the men with a similar clause in it, fought that bill. I will not go into the history of that, while it ran along all one season and two other sessions in the Illinois Legislature, and I became somewhat marked by the gentlemen by my action in that matter. I am well satisfied, because the next year, the second year I was nominated by the Republican caucus for speaker of the house. Never before in the history of Illinois politics, legislative politics, had the Republican candidate that had been selected in the Republican caucus, which controlled a majority of the house, been defeated. It was taken for granted, but the next morning 25 Republicans, who had always lined up with these interests, joined with the Democrats—I am not blaming the Democrats a bit—and elected a speaker, a bipartisan speaker of the house, which house afterwards elected William Lorimer to the United States Senate.

I only mention that to show—and it was stated afterwards that if I had not been too friendly to certain labor interests I would have been elected speaker of the house, and there would have been no vote. Whether that was true or not I don't know. But I know that Bancroft led that fight, not in the open—he never comes into the open, and was not in the open in this matter, but always behind, always planning, always scheming, sitting up late at night, talking high moral propositions in daytime, but all the time working for his god, the International Harvester Co. of America and nobody else. For the last 10 years he has followed his clients as defendants in prosecutions brought by the Government. Whether he finally kept them out of the penitentiary or not I don't know, but he served them faithfully and served them long.

Furthermore, there was some political features that developed there in the district. He and some friends of his were disappointed in certain things. I am satisfied that that rankled him. He finally went to Chicago as attorney for the Santa Fe Railway Co., and finally became the attorney for the International Harvester Co. Now, he will deny that there is any animosity in his case, but why was my district left to Ed. Bancroft by this committee? Not only that, there is another man on the committee, Busby—you heard his name mentioned—he wasn't there along toward the last, but Busby is the head of all the street car interests in the city of Chicago. The last session I was down there they had a bill in there known as the Chicago street car men's bill. I don't remember just the points of it, but the fellows employed on the street car system wanted the bill, and Mr. Busby didn't want it. Well, we had a great fight. We had hearings going on there covering six or eight weeks. Mr. Busby asked me if I would appoint a subcommittee. I said, "Yes." "All right," he said——

Mr. JOHNSON (interposing). That was a subcommittee of the Committee on Labor?

Mr. KING. Yes, sir; to consider this bill, this street car men's bill. Later I was asked and solicited if I wouldn't put a certain particular member of that committee, whose name I don't remember now, upon that subcommittee, and upon that one point all the influence that could be brought to bear from the city of Chicago where the interests, the large business interests of the city of Chicago are, were brought to bear to get that one thing done. The Illinois Manufacturers' Association lobbyist was after me; all the different lobbyists that infested the capitol at that time, and I presume now, were after me on that proposition. Now, I don't claim any particular credit for not doing it, but didn't do it. I was satisfied I was blackballed for not being sufficiently friendly. I was blackballed for not being sufficiently friendly to the Chicago interests.

Again I was in a position in the legislature there where I was required to and did fight the best I could the proposition presented to the Illinois Legislature allowing Sam Insull to gather together and form into one trust all the independent lighting plants in the State of Illinois. He got that legislation through. I voted against it. I don't suppose he would even remember my name, but somewhere in his books—and they keep books—is a record that I was wrong upon that measure. He is another prominent member——

Mr. JOHNSON (interposing). Prominent in what way?

Mr. KING. Of the National Security League, the Chicago branch, whose name will be found, if it has not been given to the committee, upon this list of 50, if you can secure it. I found the name of Mr. Armour. Far be it from me to intimate for a moment that Mr. Armour knows me or will condescend to make my acquaintance, but his people up there know, just after I was elected in 1914, and before I came down here, we had an epidemic of foot-and-mouth disease in the State of Illinois.

Mr. JOHNSON. Among cattle?

Mr. KING. Yes; among cattle. And one county especially, the county of Henry, where there are a great many stockmen, was stricken, and the Bureau of Animal Industry here had adopted the scheme every time there was one case in any county in the State of Illinois, if it was down in the southeast corner 30 miles removed from the other corner, of putting that whole county under quarantine. I couldn't understand that when I was out there, until I read all the hearings on the foot-and-mouth investigation conducted by Senator Kenyon and others when I came here to Washington, and I found that the true explanation of that was that they had in Chicago a free area and also a restricted area, a quarantined area. Now, they bought cattle down State, or rather they came into the stockyards from there. They would say to the man, "Where do these cattle come from?" "They come from Henry County." "Well, that is a quarantined county." If they come from Knox County, the next county to Henry County, that is not a quarantined county. All the cattle that went from Henry County sold for from 25 to 30 per cent less to the packers, through their agents, than did the stock that came from the next county. That was due to the large area put in quarantine by the Bureau of Animal Industry here in the city of Washington.

Mr. JOHNSON. If they were unfit for use, they should not have been sold at all and put on the market.

Mr. KING. No; they were just as good cattle as those in Knox County, because in one instance the case was down in the southeast corner, within 2 miles of Knox County and within 3 miles of Stark County, but as it happened to be in Henry, they put all of Henry County in quarantine and prevented all the people in the northern part of Henry County from shipping cattle into Chicago, and if they did ship it in, just as good cattle as they shipped from Knox County, they sold for 25 per cent less.

Mr. REAVIS. That is quite an interesting statement. You mean by that that cattle that happened to be in Knox County, within 3 miles of the infected cattle, were in a free area?

Mr. KING. Yes, sir.

Mr. REAVIS. While the cattle that happened to be in Henry County, though they were 30 miles from the infection, were in a restricted territory?

Mr. KING. Yes. That enabled them to get all the good cattle for 30 per cent—25 to 30 per cent—less. So they made a million dollars off of the stock raisers of that one county alone.

Mr. REAVIS. Who made a million dollars? Who got the benefit of that regulation?

Mr. KING. Somebody in Chicago. Probably the packers eventually got the advantage of it, because they got the stuff.

Mr. REAVIS. They butchered and dressed the cattle that came from the restricted area?

Mr. KING. Yes, sir.

Mr. REAVIS. And sold it to the general public for the same price that they received for other meats, didn't they?

Mr. KING. Yes, sir.

Mr. REAVIS. Well, there isn't any doubt in your mind as to who profited by it?

Mr. KING. Absolutely not. I say so.

Mr. REAVIS. I just wanted the record to show that.

Mr. KING. Yes, sir. Now, then, when I came down here I made my maiden speech, and that is where I got in bad with the packers of Chicago. I took a good deal of time on that speech. It wasn't such a wonderful speech, but it had a lot of facts in it. I went through every bit of testimony that was given in those hearings on the foot-and-mouth disease, and I traced it and how it spread, and I showed how inspectors in Chicago were interested in serum factories there—foot-and-mouth serum factories—and I went into it pretty generally, and I showed how a fellow by the name of Fitzgerald or Ferguson, I forget his name, was the general agent there for Swift & Co., for, I think, Wilson Bros., and for Armour; and how he handled the shippers; how he invited them into Chicago to attend a general educational conference—that is a great thing nowadays in handling people—and how he banqueted them, took them out to vaudeville shows, and showed them a good time, and in that way kept them all perfectly satisfied. It showed conclusively that he was the fellow that shifted matters between the various packing companies in the city of Chicago and was their go-between, although he is presumably secretary of this educational society for the benefit of farmers and stock raisers. If this committee can get hold of that fellow and make him tell the truth, they can probably get at what they want.

Mr. JOHNSON. What is his name?

Mr. KING. His name is either Fitzgerald or Fitzpatrick or Fitzhenry.

Mr. REAVIS. We can get it from that speech of yours, can't we?

Mr. KING. Yes, sir.

Mr. JOHNSON. You will furnish the committee with that?

Mr. KING. Yes; I will furnish the committee with it.

Now, the connection between that and this present investigation is this, that I was called to account by one of the inspectors in Chicago—I don't know that anything came directly from the packers, but I know from certain actions on the floor of the House that that speech was distasteful for a new speech for a Congressman to make saying anything against the packing industry of the city of Chicago. In that manner I got my third or fourth or fifth black eye—I don't know what it was—with the Chicago interests. Now, I see Mr. Armour, the head of the packing interests, was a member of this Chicago branch of the National Security League.

Mr. CARAWAY. And a very heavy contributor?

Mr. KING. I didn't know that. I presume that was true. Now, from these few instances I have given you you can easily see that I was persona non grata with the Chicago interests, and the Chicago interests believe they are, and are almost, as a matter of fact, the State of Illinois. You can see that when Mr. Wetten in his testimony talked about the Brundage faction down State—a Chicago man never talks, either in politics or any other branch, except in the terms of Chicago, and he thought there was a Brundage faction down State. There is no Brundage faction down State, nor Deneen faction down State. We have our own factions. We don't have to have anything imported from the city of Chicago in our factions. But with that kind of men in this branch, urged on by the chairman of the executive committee, Mr. Bancroft, I can see very readily why I was lugged into the situation at all.

Now, to go on with the meeting; I have told you who was there. We first went down to Jackson Street—51. We found no one there. They said that the meeting would be held at Mr. Wetten's office. I have even forgotten the building that Mr. Wetten's office was in, but we went to another building and went up the elevator and went into Mr. Wetten's office. I had talked this matter over considerably before going up there. I admit I was not in a very good frame of mind—that is, I felt more or less humiliated that I should be called in before a crowd of strangers and questioned on a subject of that kind—was not even permitted to go before a committee of my neighbors, like the boys in the drafts were.

Mr. CARAWAY. Did you realize that you didn't even go before a committee of American-born citizens?

Mr. KING. When I got in there I noticed that, as I observed them—well, I thought this, that I would make an effort to get the names of the individuals who sought to try me, and for that reason I took along a friend of mine by the name of Custer, and I took along a young man who afterwards became my secretary and was helping me then in the campaign. I took him along. Now, I said, "We may have difficulty in getting in here, because I understand that these are clandestine meetings—that is, that they are secret meetings; that their witnesses are not permitted in here and nothing to be taken down, but we will try it, because I propose if these people attack me to find out who the individuals are that try me, and I propose to bring a lawsuit against each and every individual that makes these charges, irrespective of the cloak that they are hiding under—the National Security League."

We found Mr. Wetten presiding—sitting at the desk—and I will say for Mr. Wetten that I think he was a very fair man in the whole proceeding, considering the men that he had to deal with. Then, there was Mr. Merrick, who thinks he is the mayor of Chicago, head of the chamber of commerce; W. B. Austin, a lawyer. I remember Mr. Peter S. Lambros on account of his whiskers. He was editor of the Greek paper. He sat over to my left. Mr. Wetten sat at the desk in front of me. Mr. Custer sat beside me, and the young man who is my secretary took a seat at a table. Mr. Merrick, I think, sat against the wall, leaning his chair against the wall. Mr. E. C. Gore and Latham were there, as I understand it—I know they were, but I do not remember them. They were merely "and others," under that title. I saw they were rather confused when I went in, that I should bring in two witnesses with me, and I said, "Gentlemen, I am here to consult with you about this matter in pursuance to your letter." I introduced myself and introduced them to my two friends. The situation was such that they couldn't very well tell them to go out. I am satisfied they wanted to do that, and they acted like it, but I didn't propose to sit in there alone without witnesses. At one stage of the proceedings Mr. Schroeder, who had a pencil and a piece of paper, and who under my instructions was getting down all that he could at the time, was stopped by Mr. Wetten, who said, "Mr. King, what is your young man doing over there? Is he a shorthand writer?" I said, "No; he isn't a shorthand writer; he is an old newspaper man taking down a few notes." "Well," he says, "we don't allow anything here to be taken down in shorthand," and I said, "Well, he is taking a few notes as he goes along." But they expressed the desire that he shouldn't do that; that nothing was to be public about the proceeding whatever.

So far as I was concerned I was glad to have it public; I would have been glad to have it public; I would have been glad to have it taken down in shorthand, and requested that I might have a stenographer there, which they refused, so I could show the people of the district, if they found against me in their verdict, that it ought to be set aside. I could show them the evidence. But that was not to be. I can't give the committee all the details of the conversation, but I remember Mr. Wetten said, "Mr. KING, the main objection to your record is that you made a speech down there in Congress—and by the way," he says, "I want to say before we start in we have read it, and it is a damned good speech." I said, "I thank you for that." And then over to my right sat one Moses. Now, Moses was a regular cootie. Every time you got him off of you he would be at you again—one Moses, who is now dead. He sat at my right here, with double glasses. He had the speech—I might mention this to the committee, that in addition to having a speech printed, which was not in the type of the CONGRESSIONAL RECORD but had been set up especially by somebody, they had certain documents and statements which had been made by certain enemies of mine in the district—political enemies of mine in the district—lying upon their desk in full view. I could see them there, and was familiar with the documents, having seen them many times before, which led me to believe that somebody had given those to Mr. Bancroft, who had presented them to the committee upon which to interrogate me. Mr. Wetten didn't ask any questions, neither did many of the rest.

I spoke to them, and I was required to bare my very soul before those men. I had to go way back to the time of the Revolution and show that an ancestor of mine by the name of Ichabod was on Dorchester Heights and had fought the British the next day at Bunker Hill; and the record of Capt. Thaddeus King, and that there was an old King homestead on the Massachusetts and Connecticut line still standing, where some of them lived; and the record on my mother's side way back until they established it in some Englishman of some kind or character; and it was necessary for me to state what liberty-loan speeches I had made; how many bonds I had subscribed for; whether I had made liberty-loan speeches; whether I had contributed to the Red Cross and other war activities.

Mr. REAVIS. Mr. King, did you tell them that your only child was in the service as a volunteer in the aviation service?

Mr. KING. Yes; that sort of stuck them a little bit.

Mr. REAVIS. Were they kind enough to tell you whether any of their sons were likewise serving?

Mr. KING. Not one of them mentioned that fact, and I don't think they could prove it. Some of them have not brought any sons into the world, let alone being in the war.

Mr. CARAWAY. Well, the country is fortunate, then.

Mr. KING. Yes; I had to bring that up. Now, mind you, all this was most distasteful to me, to go into a committee largely consisting of foreign gentlemen and establish my record as an American citizen before them. Of course, somebody said: "You don't need to have gone," but I have explained to the committee why I had to go. That was all there was to it. You were forced into it. Yes; I told them that my son was in the Army. "Well, was he drafted or did he enlist?" was the first question. I had the honor of replying—whether it is an honor or not, I make no distinction between a drafted man and an enlisted man—that he did enlist, and that he was a second lieutenant and was expecting to go overseas before long.

Mr. REAVIS. And not in a bullet-proof job, either, was he?

Mr. KING. No; he was in no bullet-proof job. I picked out four or five of them, and on that list of 50 I'll bet you can find every one of their sons in bomb-proof positions.

Mr. REAVIS. Your son was in the aviation?

Mr. KING. Yes, sir; and this evidence in New York, where two or three of the witnesses kept harping upon "Now, Mr. So-and-so is a business man, and he has a son in the war, and So-and-so has a son in the war"—it would be most interesting to find just what service those sons were performing. My observation of it is that the whole gang of them ran down here to Washington and made safe on that proposition in the first instance. Well, that is beside the matter I was trying to get at.

Mr. JOHNSON. You started to say that Mr. Wetten turned to your speech.

Mr. KING. Yes.

Mr. JOHNSON. Then, were you questioned about your speech?

Mr. KING. Yes; I was questioned by Mr. Moses. Moses seemed to be the fellow.

Mr. CARAWAY. Is he the one with the big, bold glasses?

Mr. KING. No; he is dead. He died after that. Yes; he is referred to as the one—I referred to him as having double glasses, double magnifying glasses. He sat very close to me. Now, let me see where that speech is. He had a copy of it. Not this copy of it, however. He looked down very close to the paper, and he would always look at one place in the paper, and that is where the name of Morgan appeared.

Mr. JOHNSON. What Morgan is that?

Mr. KING. Well, I referred to him as Morgan, meaning J. Pierpont Morgan. I didn't give his full name in my speech.

Mr. JOHNSON. Of New York?

Mr. KING. But when that name was sounded before the committee there was a dead silence. Somebody had certainly committed blasphemy or lèse majesté, or something else, by lugging into the CONGRESSIONAL RECORD the name of Mr. Morgan before this committee. "Well, what did you mean here when you said this about Mr. Morgan?"

Mr. REAVIS. Who said that?

Mr. KING. Moses. The record shows here that Moses was given the CONGRESSIONAL RECORD to make a special study of it, he being former president of the Chicago Bar Association, composed almost wholly of corporation lawyers.

Mr. JOHNSON. That is usually the case, isn't it?

Mr. KING. I am not going to read what I said unless the committee wants what I said. It is not material in regard to Mr. Morgan, but I read it to him again, and I told him I thought it was very plain, what I said there and what I said about the loan, the original loan, not the one made by the United States, but made by Mr. Morgan.

Mr. JOHNSON. Loan to what—Russia?

Mr. KING. The loan that he made to the allies in the first instance, long before the war was declared.

Mr. CARAWAY. Those bonds that were palmed off onto the American people?

Mr. KING. Yes. That would perhaps be better. I can't remember all the different propositions he asked me to explain about this speech, but I thought it was very plain. Now, I said to them, "You talk about this speech as though this was a wonderful speech." I said, "This wasn't a wonderful speech. You would think that in my district and before this committee that this speech had more to do with injuring the morale, as you state, than any other speech that was delivered in Congress. The truth of it is it took 10 minutes to deliver the speech, and the only time it has attracted attention was in this campaign and before you gentlemen who are trying to lay the foundation of some attack." Now, Mr. Wetten said in his testimony here that I said I had made the speech in a fit of temper. Now, that is absolutely untrue. I said nothing of the kind. One of the Chicago papers, in reporting the evidence, pictured it a little bit worse by saying that I was sorry. They didn't ask me if I was sorry.

Mr. JOHNSON. That was a prepared speech, wasn't it?

Mr. KING. Yes.

Mr. JOHNSON. And it took you, perhaps, weeks to get up the data in it?

Mr. KING. Yes; it took me some time to get it up.

Mr. JOHNSON. Therefore, it couldn't have been a speech delivered in a fit of temper, could it?

Mr. KING. No; and I was never better natured in my life than at that time; and in saying that I was sorry, etc., Mr. Wetten is entirely mistaken with reference to that.

Mr. CARAWAY. That is not the word.

Mr. KING. That he used?

Mr. CARAWAY. No; that is not the word to describe what he did when he testified—"mistaken."

Mr. KING. Well, the committee can use their own word in their report, and I hope they will, and I will be for it.

Now, Mr. Bancroft said that this speech was a flagrant speech. Flagrant means, according to the dictionary, flaming, inflamed, glowing, burning, ardent. Its synonyms are meaning that this speech was glaring, notorious, nefarious, villainous, abandoned, hateful, odious, monstrous, wanton, violent, heinous, atrocious, and outrageous. That was the definition of Mr. Bancroft's description of the speech. Now, I don't expect any member of this committee to read the speech, or any other living human being; but I don't know what part especially was objectionable to Mr. Bancroft, unless it was where I quoted Thomas Jefferson, or perhaps that part where I quoted out of the last Farewell Address of George Washington, and such other matters of that kind. I was taking no part between the belligerents in this speech whatever, and I couldn't imagine just what part of it Mr. Bancroft had reference to in labeling it as he did.

Well, the meeting went on, and my friend Custer made a few remarks and told the committee a few things. I had to bring him along as a living witness that I was a reputable citizen in the city of Galesburg there, and had some friends, and the committee got somewhat sociable after a while—pretending to be, anyway. So we got into another conversation on other subjects. I didn't get into it; they brought it up themselves; but I could see very easily that they had more concern about that than they had about my patriotic attitude, which they were alleging that they were investigating. They wanted to know from me whether I believed in the labor unions running the country, and if the committee wants I can tell them what I said.

Mr. CARAWAY. I would be glad to have it.

Mr. KING. I said to them, "I have always supported the labor unions whenever I thought they were right. In the matter of wages, hours, and things of that kind, with which I am familiar, I always sympathized with them and have been for them; and I know I found when I was in Springfield that they were the only organization, the only definite, substantial organization in the city of Springfield that would stand for a reasonable, decent measure down there affecting other people besides themselves. They were always willing to help, and I had had a great respect for the labor lobby." I told them that I didn't believe in their running everything. I said: "I am an individualist; I believe that a man should rise by merit and get along in this country, and up until a few years ago a man was able to do that; but I believe there are crowds of people who have legislated against the opportunity of a man to rise through his own merits." Now, they said: "How do you feel on Government ownership of railroads?" Well, of course, I knew that that was a question——

Mr. REAVIS (interposing). Who asked you that?

Mr. KING. Mr. Merrick. I am pretty sure it was Mr. Merrick. It was the gentleman who leaned back against the wall. It might have been Austin, but I think it was Merrick. And I knew that it was the particular and crucial part of the hearing in that particular case. Of course, I hadn't made up my mind on that subject. I am like the President—keeping an open mind on the matter. I told them—I said, "I have an open mind upon that subject, but I want you to understand that I am an individualist, not a Socialist. That ought to be a sufficient answer to your question." They seemed pleased, and with a few other remarks the meeting was dismissed. You can draw your own conclusions on that.

Now, I have a number of other things here, but I think I have gone over most of the evidence, but if the committee will permit me to proceed for half a minute, I want to say I have given some little thought to this case and this testimony before the committee, and even have thought about it considerable.

This National Security League was nothing more than an organization designed to protect certain individuals from damage suits by being able to get out statements to the newspapers without being held personally responsible for the damaging statements so made.

Mr. JOHNSON. You do not mean to say, however, that they did not have interests to serve?

Mr. KING. No, sir; and I will also state that their main purpose, in my judgment, was to defeat many men who had had the temerity, even in a slight way, to stand for the rights of the common people. I believe they worked not only in New York, but throughout the country. They had many lesser organizations who believe what they say; who pass resolutions for them every time when the resolutions are sent out. They will pass them and send them in to us, who are influenced greatly by them—a sort of a Bourbon organization, a crowd of old-time Bourbons, like the old French Bourbons who never learned anything and never forgot anything.

Mr. CARAWAY. I think you are too hard on the Bourbons.

Mr. KING. A sort of general understanding over the country amongst themselves that every time the common people want anything or a chance for their white ally, to be sure to hit the proposition in the head, and all the time, night and day, without regard to religion, without regard to politics, without regard to art, sense, or anything else, they are always working on this one particular thing, and as soon as they are through with this they are on to another. To-night, I think it is to-night, I have an invitation from the Chicago Chamber of Commerce, signed by Mr. H. H. Merrick, the president——

Mr. JOHNSON (interposing). Of the National Security League?

Mr. KING. He is president here of the Chicago Association of Commerce.

Mr. JOHNSON. Is he not also the president of the Chicago branch of the National Security League?

Mr. KING. He is; yes, sir. The same gentleman and the same one who tried me in Chicago, one of my judges. I don't in any way want to compare myself to that Divine Person in the slightest degree who lived many thousand years ago, but I do have a right to draw the comparison between the judges that sat on my case and those that examined him for a while and rushed him in before Pontius Pilate.

"You are invited to be a guest at dinner of the Chicago Association of Commerce, Friday, February 7, at 7 o'clock, New Willard Hotel.

"This will be an informal meeting of the Senators and Congressmen from Illinois, with whom a delegation from the association desires to confer"—

He wants us to sit with him—

"regarding highly important aspects of the employment situation. It will afford, too, an opportunity to advise fully and informally with respect to other public issues of vital importance."

So they are no more through with one thing than another one begins. Now, you will have some other kind of a league, some other proposition coming along very soon. I have observed that all through my public life; I have always had to contend with it; others have had to contend with it; some have gone down trying to sustain themselves against it; many of them finally give way and go over and quit. The game is too expensive without being with them; you must go along with them if you care to go on in politics. That is the feeling of many.

I think that is all, gentlemen. I would like to have the committee examine me, though, on anything you want to.

Mr. REAVIS. Are you affiliated with any particular faction of the Republican Party in Illinois?

Mr. KING. No, sir; I am not.

Mr. REAVIS. That is all I wanted to know.

Mr. BROWNE. I would just like to ask Mr. King if that is the same Harry H. Merrick that on January 9, 1919, delivered an address before the association of commerce, or the Railway Business Association of Chicago, on organizing against governmental control of railroads?

Mr. KING. Yes.

Mr. BROWNE. I notice that is gotten out in pamphlet form and on the back of it says:

"Requests for copies of this letter will be welcomed from all desiring to place in the hands of their Representatives or friends. Copies furnished to lists upon applications.

"FRANK W. KNOTSON,
"Secretary Railway Business Association,
"30 Church Street, New York."

Mr. KING. Yes, sir; that is the same fellow.

Now, if there is anything that the committee thinks I have neglected, I will be very glad if they will call my attention to it. I had to get my testimony together rather hurriedly, and possibly some important propositions I may have neglected.

Mr. CARAWAY. Mr. King, you may have gone into this, and if so we will strike this question out of the record. You read Mr. Wetten's testimony?

Mr. KING. Yes, sir. That is, I read it hurriedly at the table a few minutes ago.

Mr. CARAWAY. You observe that you said you were apologizing for your votes and your speech? Did you do any such thing?

Mr. KING. I am glad the gentleman has called my attention to that. No, sir; I never made any apology. I didn't make any apology for my votes. According to their own standards, I was about 60 per cent patriotic according to their chart, and I called their attention to that and in conclusion I said, "Gentleman, look over this chart there. Instead of condemning me you ought to commend me for complying with the conditions of the chart." I never apologized anywhere for anything. I told them that since I had stated in the speech that I would support the war and the President if it was so carried, that I had done so, and that I had a personal letter from the President commending me for—and this was the thing that while it didn't bother this committee, it bothered one of their offshoots down State—I actually voted for the espionage bill. They called it "gagging" the press. The President wanted it. Webb stated on the floor that the President wanted it, and he needed it to help win the war, and I voted for that.

So all my record was in support of everything that was asked for in support of the war. They said, "You voted against conscription, didn't you"? I said, "Yes; I voted against conscription. That is, in other words, I voted for the volunteer system of raising an army." I said that was a matter upon which men had a right to differ. "All you men would not have agreed upon that if you had been there, and there was a great number of Members of the House, nearly 150 of them, who thought that plan should have been adopted. There was nothing unpatriotic about that; nothing that tended to show that a man wasn't going to support the war—the method by which he

thought the Army should be raised had nothing to do with the question."

That was about all that was said upon that subject, and I said I thought—I had an idea (perhaps I may have been wrong in that) that we could raise a volunteer army; that we could go out and make these talks to the boys in advance, instead of putting them in a camp and then going and talking to them afterwards.

Mr. CARAWAY. You read Wetten's testimony with reference to what occurred when you were examined?

Mr. KING. There is not a word of truth in his testimony, except that I was present.

Mr. CARAWAY. And he was present?

Mr. KING. Yes. And yet I will say this for Mr. Wetten, I think he was the fairest man on that committee, and I think that he had probably more to do with the result, so far as the final action of the committee is concerned, than anybody else had. I don't know.

Mr. CARAWAY. No; Juul's open letter was the thing that affected the final action of the committee. You read Merrick's testimony as to that?

Mr. KING. Yes, sir.

Mr. CARAWAY. Was anything true in it except that you and he were present?

Mr. KING. No, sir.

Mr. HARRISON. Mr. King, did this subcommittee that examined you express any opinion before you left as to whether or not they were going to take any part in your campaign?

Mr. KING. They did not. I presumed at the time that they were, on account of the literature which was scattered on the table there, and which I had access to, that they intended to take a part in it. They didn't take any part after that except to give out to the newspapers in the city of Chicago that I had been there that afternoon and had been up before the committee. And I said: "Gentlemen, if you have nothing against me, why don't you commend me and advise the voters of my district to vote for me?" They said: "We never do that. We just criticize."

Mr. HARRISON. Did they ask you to give nothing to the press touching that meeting?

Mr. KING. No; they didn't ask me—yes; I think they did.

Mr. HARRISON. But they did give to the press themselves that you were present?

Mr. KING. The press had it anyway. The press was around the door, outside, and the press, believe me, will get it when they want it.

Mr. HARRISON. Did you ask them not to take any part in your race?

Mr. KING. No.

Mr. HARRISON. Did you make any such request as that?

Mr. KING. No, sir.

Mr. HARRISON. Did you express to them that you were sorry for any votes that you had cast?

Mr. KING. I did not.

Mr. HARRISON. The reason why I asked is that one of the committee stated that you had made such an expression before the committee. Were any of the charts distributed in your district, do you know?

Mr. KING. I think they were.

Mr. HARRISON. By the Chicago branch?

Mr. KING. Yes, sir.

Mr. HARRISON. Do you know?

Mr. KING. I couldn't say. But I want to say this right in that connection: Some intimation is given that the National Security League took no part in the elections. That is not true, because I have got a letter right here from Mr. Orth, in which he asked me the name of my Democratic opponent and which I sent to him, and they sent to my Democratic opponent one of their questionnaires which he filled out, promising to do as they said under all circumstances and conditions that might arise from now till the end of the world, and he published it in the newspaper that he would do that, and I think that hurt him.

Mr. HARRISON. That is all I have.

Mr. REAVIS. Did you express any regret to them that you had circulated the speech through the district?

Mr. KING. I didn't say that. This is what I said. They said, "You are charged here"—this they got from the opposition—"with having circulated your speech all over the district after you delivered it." "Well, now," I says, "gentlemen, I will tell you the exact truth about that. I have about 1,500 friends that I have on a personal list, that I know personally in the district, and I sent to each one of them a copy of the speech. Those are all the speeches I sent out. There are 215,000 voters in the district, and I never sent them out to any of the voters whatever. I sent them out to about 1,500 friends in order that they might know what my position was at the time."

Mr. CARAWAY. May I call your attention—you said 215,000 voters. You don't mean that, do you?

Mr. KING. That is the population.

Mr. REAVIS. Now, the Congressmen that voted against war, a number of them made speeches explaining the reasons for their attitude; but when war was declared in the regular and constitutional way, for a Congressman to send a speech through his district that would justify his conduct or would be an attempt to justify his action on the war resolution, if it justified his action on the war resolution in voting against it, it would be in the nature of a criticism of the burden that the Government had taken on.

Mr. KING. Yes, sir.

Mr. REAVIS. With that idea in view, did it impel you to refrain from sending your speech generally through your district?

Mr. KING. Yes, sir, it did; and I so stated that to the committee of the National Security League in Mr. Wetten's office. That is probably where they got the impression that I was sorry for something. I said to them: "After sending those speeches out, which were probably a week or two or three after the declaration of war, while they were a great defense of my own attitude, as I thought, and my reasons for voting as I did, nevertheless, now that we are at war, perhaps there were some things in the speech that might be questioned, and I refrained from sending any more speeches out after sending the 1,500 out."

Mr. REAVIS. Well, don't you know, Mr. King, that many of the men who have been seriously criticized by this league, who voted against war, refrained from sending out anything that would justify or tend to justify their own conduct, preferring to incur the criticism than to do anything that might tend to militate against the common impulse in favor of their country after they had gotten into war?

Mr. KING. And by doing that they were making a great sacrifice, putting themselves in a position for an attack without any means of defending themselves.

Mr. REAVIS. And to an attack from which they could not defend themselves without criticizing the action of the Government?

Mr. KING. Yes, sir.

Mr. REAVIS. And for that reason they preferred to endure the attacks rather than to defend themselves?

Mr. KING. Yes, sir; and those men undoubtedly found in their districts many people asking them, "Why didn't you send me your speech, so I would know something about why you did this?" I am glad the gentleman from Nebraska brought that point up.

Mr. JOHNSON. The committee stands adjourned until to-morrow morning at 10 o'clock.

(Whereupon, at 4.35 o'clock p. m., the committee adjourned until 10 o'clock a. m., February 6, 1919.)

EXTENSION OF REMARKS

OF

HON. L. C. DYER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1919.

Mr. DYER. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert the following:

MEDALS OF HONOR.

[From Military Laws of the United States, 1915, with supplement to Mar 5, 1917.]

1013. President may cause to be issued: That the President cause to be struck, from the dies recently prepared at the United States mint for that purpose, "medals of honor" additional to those authorized by the act (resolution) of July 12, 1862, and present the same to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves in action. (Sec. 6, act of Mar. 3, 1863, 12 Stat., 751.)

This provision was not embraced in the Revised Statutes. Medals of honor will be awarded by the President to officers and men who most distinguished themselves in action. (Pars. 182, 183, and 188, A. R., 1913; see also G. O. 42, A. G. O., 1897, and G. O. 135, A. G. O., 1899.)

As section 6 of the act of March 3, 1863 (12 Stat., 751), provides for the award of the medal of honor under certain conditions to officers, noncommissioned officers, and privates only, held, that it may not be awarded for distinguished services in action by a contract or acting assistant surgeon, who is no longer in the service. (Dig. Opin., J. A. G., 1b. 665, ed., 1912.)

See also Twentieth Opinions Attorney General, 421, in which advice was given not to grant the medal, as when the application was received, nearly 28 years after the gallant conduct, there was no official record on file in the War Department to substantiate the claim.

See Twenty-fourth Opinions Attorney General, 580, in which it is held that the fact that after the application or recommendation is made the applicant leaves the service does not prevent the President from making the award.

A medal of honor is a recognition of gallantry which is granted by authority of Congress to such officers or enlisted men "as have most distinguished themselves in action." When a medal is conferred there is included in the grant a conveyance of ownership of the medal, regarded as a chattel, which becomes the property of the grantee, and is subject to such disposition as he may see fit to make of it as a part of his personal estate, subject, however, to the qualification that it may be worn and used as a medal of honor only by the person upon whom it was originally conferred in recognition of his military services. (Id., 1c, 665.)

1014. May be awarded after separation from the service: For 3,000 medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal, and to be presented by direction of the President, and in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves by their gallantry in action, $12,000: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July 12, 1862, and section 6 of the act of Congress approved March 3, 1863: *And provided further*, That whenever it shall appear from official records in the War Department that any officer or enlisted man of the Army so distinguished himself in action as to entitle him to the award of the congressional medal of honor under the provisions of the sixth section of the act of Congress approved March 3, 1863, entitled "An act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1864, and for the year ending the 30th of June, 1863, and for other purposes," the fact that the person who so distinguished himself has since become separated from the military service, so that the award of the medal to him was not specifically recommended or applied for while he was in the said service, shall not be held to prevent the award and presentation of the medal to such person under the provisions of the law hereinbefore cited. Act of April 23, 1904 (33 Stat., 274).

The act of April 23, 1904 (33 Stat., 274), provides, "Whenever it shall appear from official records in the War Department that any officer or enlisted man of the Army so distinguished himself in action as to entitle him to the award" of the medal of honor under the then existing law, the award shall not be prevented by the fact that the person has since become separated from military service, or that it was not recommended or applied for while he was in the service. Held that the "official record" is one that must have been made by an officer of the Army pursuant to statute, regulation, orders, or custom. Held further that an oral recommendation was not an "official record," and therefore could not be the basis of the award of a medal. (Dig. Opin. J. A. G., A 2a, 605; see, also, Cir. 22, 1905, War Dept.)

The recommendation for a medal of honor was not made until more than a year had elapsed after the gallant conduct upon which it was based, i. e., July 1, 1863. Held that under the legislative rule fixed by the act of April 23, 1904 (33 Stat., 274), if it shall appear from the official records in the War Department that an officer or enlisted man has so distinguished himself in action as to entitle him to the award

under the act of March 3, 1863 (12 Stat., 751), the award may be made. (Id., 2d, 666.)

1015. May be replaced when lost or destroyed: That in any case where the President of the United States has heretofore, under any act or resolution of Congress, caused any medal to be made and presented to any officer or person in the United States on account of distinguished or meritorious services, on a proper showing made by such person to the satisfaction of the President that such medal has been lost or destroyed through no fault of the beneficiary, and that diligent search has been made therefor, the President is hereby authorized to cause to be prepared and delivered to such person a duplicate of such medal, the cost of which shall be paid out of any money in the Treasury not otherwise appropriated. Joint resolution No. 23 of April 15, 1904 (33 Stat., 588).

Held that the President has no authority under the act of April 23, 1904 (33 Stat., 274), to refuse to replace a medal that was awarded under the joint resolution of July 12, 1862 (12 Stat., 623), and the act of March 3, 1863 (12 Stat., 751), when the same is presented for that purpose by its owner. (Dig. Opin. J. A. G., 2b, 665.)

1016. Not required to surrender old when replaced by new: The holders of medals of honor under the act approved July 12, 1862, and section 6 of the act approved March 3, 1863, shall not be required to surrender such medals in case such medals are replaced in pursuance of the provisions of the act of Congress approved April 23, 1904; and that wherever the holders of such medals of honor have surrendered them, in order to receive the medals provided for by said act approved April 23, 1904, such medals shall be returned to them: *Provided*, That no recipient of both medals shall wear both medals at the same time. Joint resolution No. 17 of February 27, 1907 (34 Stat., 1422).

1017. Rosette, or knot, and ribbon to be worn in lieu of and with: The Secretary of War be, and he is hereby, authorized to issue to any person to whom a medal of honor has been awarded, or may hereafter be awarded, under the provisions of the joint resolution approved July 12, 1862, and the act approved March 3, 1863, a rosette or knot, to be worn in lieu of the medal, and a ribbon to be worn with the medal, said rosette or knot and ribbon to be each of a pattern to be prescribed and established by the President of the United States; and any appropriation that may hereafter be available for the contingent expenses of the War Department is hereby made available for the purposes of this act: *Provided*, That whenever a ribbon issued under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it is issued, the Secretary of War shall cause a new ribbon to be issued to such person without charge therefor. Joint resolution No. 51, May 2, 1896 (29 Stat., 473).

[Regulations for the Army of the United States, 1913 (corrected to Apr. 15, 1917).]

ARTICLE XXV.

MEDALS OF HONOR AND CERTIFICATES OF MERIT.

182. Medals of honor authorized by Congress are awarded to officers and enlisted men in the name of the Congress for particular deeds of most distinguished gallantry in action.

1. In order that the medal of honor may be awarded, officers or enlisted men must perform in action deeds of most distinguished personal bravery or self-sacrifice above and beyond the call of duty so conspicuous as clearly to distinguish them for gallantry and intrepidity above their comrades, involving risk of life or the performance of more than ordinarily hazardous service, and the omission of which would not justly subject the person to censure as for shortcoming or failure in the performance of his duty. The recommendations for the medal will be judged by this standard of extraordinary merit and incontestable proof of the performance of the service will be exacted.

2. For most distinguished gallantry in action, a medal of honor can be awarded to a person, regardless of whether he is in the military service or not, provided he was at the time of the gallant act or acts an officer, noncommissioned officer, or private in the Army of the United States.

3. Consideration of cases will be confined to those in which a specific recommendation for the award of a medal of honor was made or shall be made at the time of the action or within one year thereafter. The testimony in support of such recommendation must, when practicable, embrace that of at least two eyewitnesses, and must be in the form of certificates from officers and affidavits from enlisted men and others, describing specifically the act or acts of gallantry performed.

4. Commanding officers will thoroughly investigate all cases of recommendation for medals of honor arising in their commands and indorse their opinion upon the papers, which will be forwarded to The Adjutant General of the Army through regular channels.

183. Announcement of the award of a medal of honor to an officer or enlisted man of the Army will be made in orders from the War Department at the time that the award is made. Upon receipt of copies of such an order commanding officers will publish the order at the first formation at which orders are published to their commands.

184. When any enlisted man of the Army shall have distinguished himself in the service the President may grant a certificate of merit to him on the recommendation of the commanding officer of the regiment or chief of the corps to which such man belongs.

1. A certificate of merit can be granted only upon condition that the proper recommendation therefor is made while the person to whom the grant of the certificate is recommended is in the military service of the United States.

2. Unless the commanding officer of the regiment or corps in which the enlisted man was serving at the time he distinguished himself specifically recommends the award of a certificate of merit to that man such certificate can not be granted to him upon the recommendation of any superior commander or of any other officer.

3. Consideration of cases will be confined to those in which the specific recommendation referred to in the preceding section was made or shall be made at the time of the act or within one year thereafter.

4. The word "corps," as used in this article, is construed to refer to any staff corps or department of the Army or any body of troops not forming part of a regiment.

185. Recommendations for a certificate of merit must be based upon the statement of an eyewitness, preferably the immediate commander. The act or acts by which the enlisted man distinguished himself must be specifically described, and when the recommendation is made by a commissioned officer who was an eyewitness it must be so stated. When a commissioned officer was not an eyewitness, the testimony, when practicable, of at least two eyewitnesses who so describe themselves must accompany the recommendation. Each case will be submitted separately and forwarded through the regular channels, with the views or recommendations of each commander indorsed thereon, including the commanding officer of the regiment or chief of the corps to which the enlisted man belongs.

186. Additional pay at the rate of $2 a month from the date of the distinguished service is allowed to each enlisted man to whom a certificate of merit is granted.

187. If the soldier be out of the service when the certificate is issued, it will be retained in the office of The Adjutant General of the Army until called for, when proof of the identity of the applicant will be required. Should he die before receiving his certificate, it will be deposited in the office of the Auditor for the War Department for delivery to those legally entitled to it.

188. Neither a medal of honor nor a certificate of merit will be awarded to any case when the service of the person recommended, subsequent to the time he distinguished himself, has not been honorable.

189. Any person in the military service who comes, except by legal transfer or bequest of the owner, into possession of a medal or badge that is indicative of military service or efficiency not authorized to be worn as a part of the uniform of the Army shall immediately report the fact of such possession to his commanding officer for report to The Adjutant General of the Army, with a view to its return to the proper owner.

[From U. S. Comp. Stat., 1916.]

MEDALS OF HONOR IN THE NAVY.

SEC. 2359 (R. S., sec. 1407). Promotion of seamen to warrant officers: Seamen distinguishing themselves in battle or by extraordinary heroism in the line of their profession may be promoted to forward warrant officers upon the recommendation of their commanding officer, approved by the flag officer and the Secretary of the Navy. And upon such recommendation they shall receive a gratuity of $100 and a medal of honor, to be prepared under the direction of the Navy Department. Act May 17, 1864, ch. 89, sec. 3 (13 Stat., 79).

SEC. 2713 (act Dec. 21, 1861, ch. 1, sec. 7). Medals of honor for distinguished services: That the Secretary of the Navy be, and is hereby, authorized to cause 200 "medals of honor" to be prepared, with suitable devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war. (12 Stat., 330.)

Subsequent provisions for medals of honor to seamen, on their promotion to warrant officers, etc., for distinguished services, were made by act of July 16, 1862 (ch. 183, sec. 10, 12 Stat., 584), but were superseded by the similar provisions of act of May 17, 1864 (ch. 89, sec. 3, 13 Stat., 79), which were incorporated into Revised Statutes, section 1407, ante, section 2559.

This provision, as originally enacted, was temporary merely, but subsequent provisions referring thereto and providing a rosette, etc., to be worn in lieu of the medal, etc., of a more permanent nature were made by resolution of May 4, 1898, No. 30, post, section 2714.

The distribution of bronze medals, commemorative of the naval and other engagements in the waters of the West Indies and on the shores of Cuba during the War with Spain, to officers and men of the Navy and Marine Corps who participated in said engagements or who rendered specially meritorious service otherwise than in battle, was authorized in resolution of March 3, 1901, No. 18, 31 Statutes, 1465.

SEC. 2714 (resolution May 4, 1898, No. 30). Rosettes and ribbons to be issued to holders of medals of honor: That the Secretary of the Navy be, and he is hereby, authorized to issue to any person to whom a medal of honor has been awarded, or may hereafter be awarded, under the provisions of the acts approved December 21, 1862, and July 16, 1862, a rosette or knot to be worn in lieu of the medal and a ribbon to be worn with the medal, said rosette or knot and ribbon to be each of a pattern to be prescribed and established by the President of the United States, and any appropriation that may hereafter be available for the contingent expenses of the Navy Department is hereby made available for the purposes of this act: *Provided*, That whenever a ribbon issued under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was issued, the Secretary of the Navy shall cause a new ribbon to be issued to such person without charge therefor. (30 Stat., 741.)

SEC. 2715 (act Mar. 3, 1901, c. 850). Gratuities and medals of honor to enlisted men of Navy or Marine Corps for distinguished services: Any enlisted man of the Navy or Marine Corps who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession shall, upon the recommendation of his commanding officer, approved by the flag officer and the Secretary of the Navy, receive a gratuity and medal of honor as provided for seamen in section 1407 of the Revised Statutes. (31 Stat., 1099.)

SEC. 2715a. (Act Mar. 3, 1915, c, 83.) Medals of honor to officers of Navy, Marine Corps, or Coast Guard: The President of the United States is hereby empowered to prepare a suitable medal of honor to be awarded to any officer of the Navy, Marine Corps, or Coast Guard who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession. (38 Stat., 931.)

[Navy Regulations, 1913, chap. 33, sec. 9.]

3361. (4) Manner of presentation: The presentation of a medal of honor to any enlisted man in the naval service, as awarded by section 1407 of the Revised Statutes and the act of March 3, 1901, and also to officers whenever the same may be authorized by law, shall always be made with formal and impressive ceremonial. The recipient shall, when practicable, be ordered to Washington, D. C., and the presentation will be made by the President as Commander in Chief, or by such representative as the President may designate. When not practicable to have the presentation at Washington, the details of time, place, and ceremony will be prescribed by the Secretary of the Navy for each case. In time of war the presentation shall be made by the commander in chief of the fleet, or the division commander.

[Act of Apr. 27, 1916, ch. 88 (39 Stat., 53).]

ARMY AND NAVY MEDAL OF HONOR ROLL.

Chapter 88. An act to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal of honor roll," and for other purposes.

Be it enacted, etc., That there is hereby established in the War Department and Navy Department, respectively, a roll designated as "the Army and Navy medal of honor roll." Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of 65 years, and who has been awarded a medal of honor for having in action involv-

ing actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the War Department and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished without charge upon request made by any person claiming the benefits of this act.

SEC. 2. That it shall be the duty of the Secretary of War and of the Secretary of the Navy to carry this act into effect and to decide whether each applicant, under this act, in his department is entitled to the benefit of this act. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of this act, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered. A certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, and of enrollment under this act, and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of War and the Secretary of the Navy shall deliver to the Commissioner of Pensions a certified copy of each of such of said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Commissioner of Pensions for the payment by him to the beneficiary named in each such certificate the special pension herein provided for.

SEC. 3. That each such surviving person whose name shall have been entered on said roll in accordance with this act shall be entitled to and shall receive and be paid by the Commissioner of Pensions in the Department of the Interior, out of any moneys in the Treasury of the United States not otherwise appropriated, a special pension of $10 per month for life, payable quarter yearly. The Commissioner of Pensions shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof.

Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of War or of the Secretary of the Navy after the passage and approval of this act, and shall continue during the life of the beneficiary.

Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto.

The special pension allowed under this act shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever.

SEC. 4. That in case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder.

The Naval Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. GILBERT A. CURRIE,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. CURRIE of Michigan. Mr. Speaker, I have already spoken somewhat at length upon this subject. Under the permission granted me to extend my remarks I shall briefly submit some further data showing the futility of now authorizing the President, at some future time and at his discretion, to enormously increase our Navy. We should withhold such authority and exercise our own judgment at the proper time. This is the constitutional duty and prerogative of Congress. Why, then, shirk this responsibility and direct that one man may, in the light of developments, decide our naval policy? Congress will be in session and it should decide the question, just as the framers of our Constitution intended.

The present bill carries an appropriation of over $720,000,000. It also provides an authorization for the so-called presidential program which will cost an additional half billion dollars to construct.

The act of 1916 provided for the construction of 10 first-class battleships, 6 battle cruisers, 10 scout cruisers, and a vast number of destroyers and smaller craft. That act contemplated an expenditure estimated at $815,000,000. Congress must yet appropriate, in round numbers, in addition to the amounts carried in the present bill, $400,000,000 to complete the 1916 program.

The battleship *Idaho*, authorized by Congress in 1914 and contracted for in the same year, is just now nearing completion. The battleship *Tennessee*, authorized by Congress in 1915, is but a trifle more than half completed. Construction is not yet started on 6 of the great battleships authorized by Congress in 1916. Not one of the 6 battle cruisers authorized by the same Congress is yet under course of construction. The remaining 4 great battleships authorized in 1916 are from 5 to 38 per cent complete.

We are building 73 submarines, and 9 more have already been authorized; 212 destroyers are in course of construction and 12 more authorized.

Secretary Daniels, testifying before the Committee on Naval Affairs, submitted a statement showing all vessels not completed but authorized prior to the act of August 29, 1916, and the progress of work on the vessels authorized in 1916 and subsequent acts. I insert that statement by the Secretary of the Navy, omitting therefrom the details concerning destroyers and any reference to smaller craft.

The statement referred to is as follows:

BATTLESHIPS, DECEMBER 1, 1918.

All of the 13 battleships under construction are building under regular naval appropriation acts, as indicated. The last 10 were authorized under the three-year building program of August 29, 1916. Appropriations were made for four of them under that act; three under the act of March 4, 1917; three under the act of July 1, 1918.

During the war work was practically suspended upon the battleships of the three-year program except the *Maryland* at Newport News and her sister vessel, the *West Virginia*. The *Mississippi* at Newport News and the *New Mexico* at the navy yard, New York, were completed during the war and work continued upon the *Idaho* at the New York Shipbuilding Co. and the *Tennessee* and *California* at the navy yards, New York and Mare Island. All battleship work will now proceed as fast as material and labor become available.

Number and name.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion.
42. Idaho	1914 June 30	1914 June 30	1914 Oct. 19	New York Shipbuilding Corporation.	98.1
43. Tennessee	1915 Mar. 3	1915 Mar. 3	1916 Aug. 30	New York Navy Yard.	51.1
44. California	...do...	...do...	...do...	Mare Island Navy Yard.	48.4
45. Colorado	1916 Aug. 29	1916 Aug. 29	Nov. 29	New York Shipbuilding Corporation.	6.8
46. Maryland	...do...	...do...	[1] Dec. 5	Newport News Shipbuilding Co.	38.2
47. Washington	...do...	...do...	Nov. 29	New York Shipbuilding Corporation.	4.3
48. West Virginia	...do...	...do...	[1] Dec. 5	Newport News Shipbuilding Co.	18.7
49. South Dakota	...do...	1917 Mar. 4	1918 July 2	New York Navy Yard.	(2)
50. North Carolina	...do...	...do...	...do...	Norfolk Navy Yard...	(2)
51. Montana	...do...	...do...	...do...	Mare Island Navy Yard.	(2)
52. Indiana (new)	...do...	1918 July 1	...do...	New York Navy Yard.	(2)
53. Massachusetts (new).	...do...	...do...	.....	Not yet placed	.....
54. Iowa (new)	...do...	...do...	.....	...do...	.....

[1] Date of contract. [2] No progress yet made on actual construction.

BATTLE CRUISERS, DECEMBER 1, 1918.

The six battle cruisers listed are being built under regular appropriations for increase of the Navy. All six were authorized by the three-year building program of August 29, 1916. Appropriations were made for four of them under that bill, and one each under the bills of March 4, 1917, and July 1, 1918.

Work upon these vessels was suspended during the war. Advantage was taken of the delay to make various improvements in the plans believed advisable as a result of experience in the present war. The improved plans are now in the hands of the contractors and work will proceed as fast as material and labor are made available.

Name and number.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion or date of completion.
1. Lexington	1916. Aug. 29	1916. Aug. 29	1917. Mar. 19	Fore River Shipbuilding Co.	(1)
2. Constellation	...do...	...do...	...do...	Newport News Shipbuilding Co.	(1)
3. Saratoga	...do...	...do...	...do...	New York Shipbuilding Co.	(1)
4. Ranger	...do...	...do...	...do...	Newport News Shipbuilding Co.	(1)
5. Constitution	...do...	1917. Mar. 4	...do...	Navy yard, Philadelphia, Pa.	(1)
6.	...do...	1918. July 1	1918. July 2	...do...	(1)

[1] No progress yet made on actual construction.

SCOUT CRUISERS, DECEMBER 1, 1918.

The 10 scout cruisers listed are all building under regular appropriations for increase of the Navy. All 10 were authorized by the three-year building program of August 29, 1916. Four of them were

appropriated for by that bill, three by the bill of March 4, 1917, and three by the bill of July 1, 1918.

Work upon these vessels was practically suspended during the war. In fact, the keel of *No. 4*, which had been laid at Seattle, was removed from the slip at the request of the Emergency Fleet Corporation to enable certain Shipping Board work to be pressed. The contractor for *Nos. 4, 5,* and *6* sold his Seattle yard where the construction of these vessels was originally contemplated and they will be built at a yard in Tacoma, Wash. Work upon all of these vessels will now go ahead as fast as material and labor are available.

No.	Authorized by Congress.	Date of appropriation.	Date ordered.	Builder.	Per cent completion or date of completion.
4	Aug. 29, 1916	Aug. 29, 1916	Nov. 19, 1918[1]	Todd Shipyard Corporation.	32
5	do	do	do[1]	do	21.5
6	do	do	do[1]	do	17
7	do	do	Mar. 19, 1917	Union Iron Works	(2)
8	do	Mar. 4, 1917	do	do	(2)
9	do	do	do	Wm. Cramp & Sons Co.	9
10	do	do	do	do	9
11	do	July 1, 1918	Oct. 24, 1918	do	(2)
12	do	do	do	do	(2)
13	do	do	do	do	(2)

[1] Date of transfer of contract from original contractor, Seattle Construction & Drydock Co.

[2] No pregress yet made on actual construction.

DESTROYERS, DECEMBER 1, 1918.

Of the 286 destroyers covered by the table, one (the *Gwin*) is building under the naval appropriation act of March 3, 1915. Destroyers *Nos. 75* to *109*, inclusive, and destroyers *Nos. 345* to *359*, inclusive, are building under the three-year building program of August 29, 1916; 20 of these destroyers, *Nos. 75* to *94*, inclusive, were appropriated for in that act; 15 destroyers, *Nos. 95* to *109*, inclusive, were appropriated for March 4, 1917; 15 destroyers, *Nos. 345* to *359*, inclusive, were appropriated for July 1, 1918.

Seventy-six destroyers, *Nos. 110* to *185*, inclusive, are being built under the emergency fund in the act of March 4, 1917; 150 destroyers, *Nos. 186* to *335*, inclusive, are building under appropriation "Increase of the Navy, torpedo boat destroyers," in the naval deficiency bill of October 6, 1917; 9, *Nos. 336* to *344*, inclusive, are being built under the emergency funds of March 4, 1917, and October 6, 1917. Of the 15 destroyers appropriated for July 1, 1918, only 3 have yet been placed.

Of the destroyers above, 45 have been completed since April 6, 1917. Of destroyers previously authorized, not included in this table, 6 have been completed since April 6, 1917, making 51 in all since April 6, 1917. Recent destroyer completions have been as follows: July, 5; August, 3; September, 11; October, 5; November, 8.

SPEECH
OF
HON. CHARLES H. SLOAN,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, January 16, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SLOAN. Mr. Chairman, I support this amendment, and I desire to present a few reasons. I should have been pleased if the superintendent of this institution had been granted an increase of salary, recognizing as I do his zeal and efficiency. This is an institution of which the Nation, and the Capital especially, might well be proud, but concerning which there seems little information and in which there is too little interest taken.

I was astonished this morning, while calling at the Congressional Library, at the limited bibliography there is relating to the Botanic Garden. Yet it is one of the most interesting institutions we have in the city of Washington. It is worthy of the fullest and most faithful record. Its varied phases are entitled to the tribute of speech and verse.

The first legend deemed worth mentioning was that when George Washington was projecting the city of his name the stubborn Scot called David Burns, who always opposed "the Mount Vernon surveyor," unsuccessfully endeavored to have the Botanic Garden near the White House rather than the Capitol. While Burns did not have his way, there was no Botanic Garden really provided for until 1820, during Monroe's administration. The President gave the Columbian Institute—the predecessor of the Smithsonian—permission to establish a botanic garden "just west of the Capitol."

Its location was on a tract called Rome—note the names—owned by one Pope, over which flowed the Tiber River—a river well known then but in these iconoclastic days may soon be referred to as was that Brazilian river explored by the late Theodore Roosevelt as the "River of Doubt."

Little was accomplished by the Columbian Institute before 1836 except to drain the site and plant some trees. The first appropriation was made for the garden by Congress, of $1,200, in 1843. I have no intention to burden the record with statistics, but I venture to recall that it was in 1854 we first read of William R. Smith, the old-time superintendent, who had charge until his death in 1912. The salary in 1854 was $50 per month; the helpers $1.50 and $1.25 per day, respectively. In 1856 there was public record of Oqui Adair, a Chinese laborer in the greenhouse, whose wages were fixed at $1 per day. In 1857 there was provision for employment of a boy as seed packer, at $12 per month. Salary and wages, meager then, are not liberal now. All Washingtonians and many Capital visitors knew Supt. Smith, who served his apprenticeship in the Kew Gardens of England.

The stories told of Smith would fill a book. He knew plants and he saw as many literary flowers in the works of Robert Burns as many a man could see real flowers in the Botanic Garden. He was an evangel of flowers, a champion of Robert Burns, and an uncompromising defender of the unsightly Botanic Garden wall. The congressional decree for the removal of the wall clashed with the old superintendent's will that it should remain, and Congress came off second best. And when he died the "wall," like the Star-Spangled Banner, was "still there."

It is told that one of the things Smith insisted upon as the doorway to his favor and the gift of flowers was that the recipient knew of Robert Burns and could quote his poetry. There was an occasion when a highly stationed official tried to obtain some flowers from the garden for some state event. Smith promised him the flowers. But to impress it upon Smith, the Senator said, "As Jimmy Burns said." "As Jimmy Burns said?" interjected Smith. "Why don't you talk about Tommy Alexander, Billy Bonaparte, or Charlie Christ. You get no flowers from this Botanic Garden." [Laughter.]

The visitor to our National Capital is always struck when he sees the eastern side of the Capitol by its low elevation. It is like the inhabitants of the Capital City, a decided objection to rising to meet the morning sun. While, when you come to the rear of this massive and historic building, standing as it does upon the crown of this commanding hill which nature seems to have placed for this particular purpose, and note the imposing landscape there, and the stately architecture of the building, again the people of Washington are typified in the fact that they extend the day as far as they possibly can to the last unit of time.

In the same way we, who have followed the course of empire some thousand miles farther than you of the East take it it as a tribute to the best and greatest part of the country that the western side of the Capitol is more imposing than the eastern. But marring that general effect there is an institution, not the institution itself but the barrier with which it is inclosed, to which I voice a criticism and protest.

A stranger coming down Pennsylvania Avenue from Union Station is struck, of course, with the position and appearance of the National Capitol which challenges the first attention of American and foreigner alike. Looking southward he sees a wall of old brick masonry surmounted by long spears of iron. It looks as if one of the phalanxes of Alexander had suddenly stacked and abandoned arms, leaving these spears planted in the masonry to prevent and punish a trespass. But we have, once we pass the wall, one of the most entertaining and instructive places in Washington.

It has been my custom during the eight years I have been a Member to take early morning walks, going wherever my fancy, time, opportunity, or suggestion of companion indicated. I frequently visit the Botanic Garden. I have been impressed with the lack of interest that Representatives and Senators, at least in the morning hour, show in this rare institution. It will enlarge your experience in Washington. If you forget the absolute traverse of space and overlook its measurements you can travel all the longitudes of the earth measured by its productions. You can travel from the lowest latitude to almost the highest. You can accomplish considerable altitude without wearied limb or shortened breath. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. Not only may you have that experience, but you may have the delight of that institution in all the mani-

festations of nature when under culture and care. I know no other walk so interesting as the one which follows a line projecting directly from the mid Capitol down through the "avenue of palms" in the summer, which will transport you without a railroad ticket or steamboat passage to the farthest tropical regions. It will not take long, if you know the location down there, to find the petric mounds upon which you discern the plant life which prospers on mountain side, near mountain peak, or in the far northern latitude. You see all the flowers from all parts of the earth, from the modest violet and most delicate orchid up to the gorgeous American beauty and the resplendent flower of the sun. National flowers are there—the rose of Britain, the lily of France, the thistle of Scotland, and shamrock of Ireland. There are flowers which bloom only in daylight under the kiss of the sun, while there are those other strange creations which yield blush and smile only under the cover of night. There are plants which continue in bloom through the large part of their existence, while there is that patient, stately, living column which only once in a century's span displays its colors.

In this garden a century plant bloomed in 1917. Its life began about the close of the last American-British war, when the Capitol conflagration set by enemy hands was raging. It stood stately and tall in glorious bloom in 1917, when America and Britain fought together to defend their respective Capitals against a cruel and vandal foe. Then, too, there are plants whose fruits are sweet to the palate and nutritious to the being growing near those of deadliest poison.

While the general ensemble of the floral beauty prompts extravagant speech, there is one, were its substance to touch the human tongue, speech paralysis would result for nine days. This is called the mother-in-law plant, a too valuable tribute to that ancient humor which from time immemorial has wrought injustice to the often best of women. It has been suggested—by a Member of the House of course—that this plant be installed in one of the recently acquired French vases of the Senate, hoping to accomplish thereby what Members have failed to reach by rule—the terminals of debate. [Laughter.]

Throughout that garden there is every tree from every part of this great globe. We have there the coffee and tea, the tree of life, the crown of thorns, the Banian, the tall pine, many varieties of the sturdy oak, and the stately elm.

There are interesting legends of that institution concerning trees that are found there. Eminent men in the course of the history of this institution planted trees there.

Charles A. Dana, the great editor, carried an acorn from the grave of Confucius and planted it here. It stands in solemn grandeur, lifting each year its head higher in air as if to look to its far-off source of being.

You will find a beautiful acacia, "that plant of deep root," planted there by Gen. Grant. It will bloom not far from his tomb, that "future ages may know the right."

Two cedars of Lebanon, whose ancestors furnished timbers for King Solomon's temple, were planted and thrive there, placed by Senators Hoar and Evarts.

The peace oak, planted by Senator Crittenden, of Kentucky—who could more appropriately plant it than he? The friend of Clay, the "Pacificator"—from the State which gave birth in one year to Abraham Lincoln and Jefferson Davis.

Standing in triangular position are the "trees of the tragedians," Edwin Booth, Edwin Forrest, and John Wilkes Booth. Each selected the bald or water cypress for his planting. Those of the elder Booth and Forrest are tall and stately. The other, dwarfed and sickly, presents the spectacle of nature's rebuke to his infamy, while the others are tributes to the mastery of a great art.

Over in the eastern part of the garden is the famous hornbeam, the most umbrageous tree I ever saw, its compact foliage a perfect shield from sun and to a large degree protection from storm. It covers one-tenth of an acre of earth. Here the birds nest and sing. Their chorus of the morning and their subdued orchestra at vesper are worth your walk to the garden. This sound, protective tree was planted by Abraham Lincoln—suggestive of his memory, now safe, and the cardinal economic policy which he professed, because he was for all of the United States and all for the United States. He stood for nationalism against sectionalism. Many believe if he were living now he would have still stood for nationalism against internationalism. [Applause.]

In the midst of the garden, arising out of a mammoth pool, where water lilies bloom and fishes swim, towers the Bartholdi Fountain. That fountain stood and yielded its crystal tribute at Fairmount Park, Philadelphia, when America celebrated the centennial of our independence. As the sunlight falls upon its stream and spray, every garden visitor finds improvised his own particular rainbow. It was well said by a visitor last summer, "The old Bartholdi certainly manifests the spirit of '76." [Applause.]

But with such an institution as this it would appear to the ordinary passer-by to be perhaps a cloister where the devotees of a religion or some cult had been set apart from their fellow men. I heard a foreigner going by there, looking at it this year, say, "Is that the place where they intern the alien enemies of the Government?" The unsightly wall should be removed.

There is another fact down there not immediately connected with this amendment or this bill. That is the neglect of the monument to U. S. Grant. That monument with its bronze cavalry at one end and its artillery at the other, and its neglected features in the middle, will soon be an anachronism. The soldier of the future will not know what its symbols mean.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SLOAN. Just one more minute, please.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. SLOAN. Mr. Chairman, I prepared this speech this morning, and I am like Madame de Stäel, who wrote a letter to a friend and said, "I beg your pardon for the length of this letter, but I am so hurried I can not write a shorter one."

I desire to say that two things ought to occur. For one thing, the monument should be finished, and the other, the wall should see its finish. [Applause.]

Post Office Conference Report.

EXTENSION OF REMARKS
OF
HON. ALLEN T. TREADWAY.
OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 19, 1919.

Mr. TREADWAY. Mr. Speaker, the conference report on the Post Office appropriation bill contains an unconsidered amendment. That is the item that was inserted on the floor of the other branch without committee approval and has been agreed to by the House conferees. It appropriates $50,000,000 for the fiscal year ending June 30, 1919, $75,000,000 for the fiscal year ending June 30, 1920, and a like amount for the fiscal year ending June 30, 1921, a total of $200,000,000 to be added to the available funds heretofore appropriated under the so-called good-roads act.

As one of the Representatives from Massachusetts I was opposed to the original act and I am opposed to this further appropriation. Good roads is one of the greatest assets any State or community can have, largely for the benefit of its own population. Massachusetts was one of the first States to construct State highways, and the wisdom of the advanced legislation by that State has become more and more apparent as the years demonstrate its value. The Massachusetts statutes have been particularly favorable to rural communities, so that to-day there is probably not a town even of the smallest population that has not some State-improved road within its limits. Where local conditions permitted, the State highway commission has frequently required cooperation in the payment for the construction. The State has been greatly benefited by these roads, and particularly such rural communities as abound in the district I represent.

During the debate on the original bill, it was clearly demonstrated that the contribution of Massachusetts and her citizens to the appropriation carried in that bill would be several times the amount that would be returned to the State under its provisions for construction of roads within our State. The increase in tax rates since that time will very materially increase the percentage of the amount of the appropriation in this bill to be paid by Massachusetts. But it is the same old story. The power to put the burden on such a Commonwealth as Massachusetts has been very freely exercised by Congress during the past six years. The State has gladly cooperated when the needs were those of the prosecution of the war, but it seems to me the time has come to call a halt not only for the benefit of the citizens of the Commonwealth of Massachusetts but for the benefit of the Federal Treasury.

Let me for a moment call attention to the exact situation. The section has been added as a rider to the Post Office appropriation bill, which we to-day are asked within the limits of a

very brief discussion to concur in. No consideration of any kind has been given by the House either as to the merits of the proposition or the amount of money involved. We have grown so satiated with the ease of action on big appropriations and so accustomed to billions that anything involving only $200,000,000 looks like a fly speck on the financial horizon. We must stop this inordinate extravagance. If we do not, we can not blame the people for lacking interest in purchase of new issues of our national securities and a marked depreciation in the value of issues already made.

The gentleman from Wisconsin [Mr. BROWN] has made an eloquent argument that this money will be used in the employment of the returned soldiers. I want to say that the men who entered the service from my section were not those who handled the shovel and pick on the highway, and we do not intend to offer returning men that kind of occupation. These men were deserving of better employment before they left us, and those returning physically able will not be asked to accept poorer occupation than before they donned the khaki.

Further, the experiment of Federal construction to date does not seem to me to warrant an appropriation nearly three times as large as the original one. The gentleman from New York [Mr. SNELL] informs us that nearly $70,000,000 of the original appropriation is still available, and that there has been constructed in the past three years 45 miles of Federal cooperative road. Let us see something more tangible for our original appropriation than 45 miles of roadway before we embark on this $200,000,000 undigested and unconsidered appropriation.

Congressional extravagance and increased taxation invariably lead to additional discontent among the people.

Naval Bill—Dreadnaughts Not a Defense Against Modern Submarines and Similar Small Craft—Increase of Present Number a Menace to National Treasury.

EXTENSION OF REMARKS
OF
HON. DAVID A. HOLLINGSWORTH,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919,

On the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. HOLLINGSWORTH. Mr. Speaker, I shall not try to get into my head or discuss at length the stupendous figures of this bill, aggregating, in appropriations and authorizations for the Naval Establishment for the year ending June 30, 1920, over $1,000,000,000. My mind staggers at the immensity of details, staggers at the tax burdens thus to be imposed upon the country in a time of assured peace.

When I came to Congress a few years ago, the term "billion-dollar Congress" was a party reproach to be avoided, but now officials of the Government and Members of Congress on both sides talk glibly of single billion-dollar expenditures with apparent unconcern.

The tax-ridden people are ignored.

I do not, as I say, care to discuss the details of this bill, which has already been done with great thoroughness by members of the committee and others in the confidence of the President, who is said to be asking for it. His reasons are given to members of the Naval Committee in confidence, and to which, perhaps, no objection should be made. But a number of other Members have stated openly in their remarks on the floor that they also have been shown in confidence the President's secret-code message from the emergency White House at Paris. Why? Is this House classified into Members who can be trusted and Members who can not be trusted with official secrets? Are we all blacklisted except a favored few? Is there a sort of secret political freemasonry in this open forum of the people, where the people's representatives are supposed to meet upon a level and act and part upon the square?

Barring the propriety of Members exploiting on the floor of the House their possession of secret confidences of the Executive in matters of public business, what inference does it furnish as to his estimate of other Members not thus honored; black sheep, so to speak? Are they expected to meekly assume the rôle of "me, too," a la Senator Platt in the old days?

For myself, it is a matter of indifference; I have never sought individual recognition at the White House, and am leaving Congress soon, presumably not to return, but I protest against this official favoritism and practical ignoring of nine-tenths of the membership of the House, each one of whom represents an equal unit of the American people.

The President told us before the war that we had an ample Navy, and I believed him, and still think he spoke the unvarnished truth, and the naval battles of the war have not been sufficiently numerous or destructive to cause in me a doubt of his prewar assurances. The British fleet easily kept the big German ships bottled up in the Kiel Canal before we entered the conflict, and this same condition seems to have continued to the end, and that is about all that can be said of our naval heroics during the war, outside of the activities of a few small craft, torpedo boats, submarines, and submarine destroyers.

The Paul Joneses and the Admiral Deweys of this war are easily counted. When the naval program of 1916 was under consideration I was unable to convince myself that we needed the 10 new dreadnaughts proposed in the bill; believed, and so stated at the time, that they could not be constructed in time to be of service in the war if America should be, as it subsequently was, forced to enter it; and, further, that the number of so-called sea monsters already in commission was sufficient for all practical purposes. I felt then, as I feel now, that the millions of the people's money proposed to be thus expended was a useless waste, and, right or wrong, I declined to give it my support.

I was subsequently reelected by a largely increased majority, although the friends of my Democratic opponent exploited him as a big Navy man and, if elected, he would have been expected in party fealty to follow the President's lead with lamblike faith. On the contrary, I felt that, in a sense, I was instructed otherwise by the electorate of the district I have the honor of representing. As a matter of fact, none of the huge leviathans of the sea thus provided for have yet been completed, although the greatest and most costly war of history has been fought and won, leaving their bulky unfinished parts, if ever put together in finished dreadnaught form, liable to rust out and be in junk long before we have another war with any naval power.

I stated then, as appears in the RECORD—and I give it now as my nonexpert opinion—that we do not need any great increase in our already efficient fleet of dreadnaughts and superdreadnaughts, unless we intend to sail into foreign waters in a defiant attitude and make of Uncle Sam a veritable jingo of the seas:

> A nation of 100,000,000 freemen, with unlimited resources, situate between two ocean barriers, and these barriers equipped, as they are or should be, with adequate coast fortifications, mines, submarines, and submarine destroyers, aircraft, good roads, as in Germany, connecting such ocean barriers and thus furnishing ready means of transportation of an army from one point of danger to another, on inside lines, need not in a just cause fear a combined world in arms, even if our Nation does not have a Navy "the strongest and most powerful in the world," as suggested by an eminent but somewhat belated militarist. We are not an aggressive people; our real permanent defense must always be in the justice, sincerity, and fair dealing of our Government with all the world.

Ever since the Civil War, Mr. Speaker, when the little ironclad *Monitor* knocked out its apparently invincible assailant in the open sea, and thereby instantly revolutionized the naval science of the world, I have been an advocate of the smaller type of seagoing vessels for naval use. From the day of the *Monitor's* victory, the fleets of wooden vessels all over the world went rapidly out of commission and were replaced by ironclads, just as may soon be possible by a recently hinted-at invention to be perfected by the electric wizard, Edison, and destined to render useless the ironclads of to-day.

The vicious little submarine of this war, undreamed of in Civil War days, may well be called the successor of the *Monitor*, and by reason of its disappearing qualities, showing its possible efficiency against electrical discoveries, may be looked forward to as replacing present ironclad naval armaments, except for coast or harbor defenses. The dreadnaughts of Germany lay idle in the Kiel Canal, while hundreds of small craft of the submarine type were sent out to prey for a time ruthlessly upon American and allied commerce, which they did disastrously until the small craft destroyers, neglected in early naval programs, could be built and brought into defensive action. The huge dreadnaughts of our Navy were a negligible quantity when it came to pursuing and destroying submarines. Like fabled leviathans they wabbled in their movements.

Small defense vessels, submarine destroyers, became a necessity in our naval defenses, and a want of them showed the worst possible lack of preparedness on the part of the Government; it was inexcusable negligence. Hundreds of them, enough to have policed all German water connections and neutralized her submarines could have been built at comparatively small cost, and thus millions of destroyed property and many precious lives would have been saved. But naval experts, in preparation

days, seem to have been too busy in constructing big dreadnaughts, palacelike and cumbersome, but luxuriously fitted up with up-to-date salons and fashionable society promenade decks.

It takes much space in inspired newspaper headlines to explain to the ordinary tax-paying citizen any practical usefulness of these huge sea monsters during the war. They persist in remembering, in their practical way of reasoning, that the British fleet, before our entrance into the war, kept the German Navy bottled up in the Kiel Canal, just the same and apparently just as easily as the combined fleets did afterwards. The massive floating palaces of both nations seem to have simply watched the open entrance to the canal where rode in safety the big German vessels, while German submarines played havoc in the open seas until checked by emergency built destroyers and other small craft.

And yet in this bill we are asked not only to complete the naval program of 1916, but to supplement it with another program carrying 10 new $21,000,000 first-class battleships and 8 scout cruisers of the $8,000,000 type, exclusive of armor and armament, and to be begun "as soon as practicable."

But at what cost? I hesitate to make any personal answer to my tax-paying constituents, whose backs must bend and bear their share of the burdens, and so I quote from a statement made on the floor in argument by a Member, with the expressed approval at the time of the chairman of the Naval Committee:

Briefly stated, this naval bill seeks to appropriate $746,000,000 and to authorize over $415,000,000 additional, or over $1,160,000,000 in all, in times of peace.

A billion dollar Army bill also awaits action on the calendar. These are but samples of the huge demands being made from all sources upon this Government. Help, help, help, is the cry from all quarters of the globe, and the pity of it all is that an answering cry seems to have been started by high officials of give, give, give, in millions; and loan, loan, loan, in billions, until taxpayers in afright are helplessly asking Congress whither are we drifting? Washington's warning against foreign entanglements, sacred in America since his Farewell Address at the close of the Revolutionary War, has been literally torn in pieces as ruthless as the rape of the Belgian treaty.

The minority leader on the Ways and Means Committee, for whose judgment we all have great respect, has issued a warning in this tragic hour of financial intoxication, little less important in my judgment than that of Washington after the Revolutionary War.

It can not be quoted too often:

The extraordinary appropriations of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months amount to $6,795,000,000. This does not include ordinary expenses of Government. * * * Let me call your attention to the fact that all the money there is in the United States is, in round numbers, about $6,000,000,000, and we are going to be called upon for $10,000,000,000, in round numbers, in the next 12 months. * * * I caution you who represent the people, we are going wild in Government expenditures.

Not only are we going wild in public expenditures, but the whole world seems to be in a turmoil and upheaval, socially, politically, economically, and in every other way tending to bring disaster and distress to the people, if not a return to prewar militaristic conditions.

Our plain duty, in my humble judgment, after the armistice was signed and victory with high honors had come to American armies in the field, was to get out of Europe as rapidly as possible with honor. The example set by Grant and Lee, at the close of the Civil War, in the prompt disbandment and return of their volunteer armies to civil pursuits was one entirely worthy of present-day imitation. It showed the inherent strength of American institutions.

And even when the assassination of President Lincoln and attempts upon the lives of individual members of his Cabinet had brought dismay and horror to the people, there was no demoralization or breaking up into fighting, fanatical, factional divisions, as in Russia, the Balkans, and certain small-fry countries overseas, never heard of by or at least little known to the American people.

I am old enough to remember that great crisis in our Nation's history, remember the blanched faces of the timid and the startling newspaper headlines on the day after the assassination telling of riots beginning in New York City and other congested centers, but above all the clamor and frenzy of the multitude there came in clear ringing tones, sinking deep into the hearts and minds of the people and expressive of the conservative common sense of the country, from one of Ohio's great statesmen, Gen. Garfield, afterwards President, then in New York City on a visit and attempting with other speakers to stem the rising tide of disorder, these noted words of heroic import:

God reigns and the Government at Washington still lives.

They were effective in stilling the frenzied clamor of an incensed populace over the foul murder of a beloved President and tragic attempt to wreck the Government, and, now that peace is near in this greatest of all wars, I trust that some one of equal prominence at Washington, in this hour of world-encompassing history, may be able to send out to the country like satisfying assurances of speedy relief and a gradual reduction of the hideous burdens of taxation heaped upon a patient but patriotic people.

EXTENSION OF REMARKS
OF
HON. THETUS W. SIMS,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1919.

Mr. SIMS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of Hon. C. A. Prouty on the railroad problem.

The address is as follows:

ADDRESS OF HON. C. A. PROUTY, DIRECTOR OF PUBLIC SERVICE AND ACCOUNTING, UNITED STATES RAILROAD ADMINISTRATION, AT THE ANNUAL MEETING OF THE ATLANTA FREIGHT BUREAU, THE PIEDMONT HOTEL, ATLANTA, GA., JANUARY 17, 1919.

Mr. Chairman and gentlemen of the freight bureau: I come from far-off New England. While the men of that frigid region have sometimes accomplished things, they have never been able to compete with you gentlemen of the South in the graces of oratory. I shall not upon this occasion attempt to reply to the things, gratifying if only true, which your chairman has so courteously vouchsafed in presenting me, but shall plunge in medias res.

For 22 years I have been associated with the Federal regulation of railroads, and never in all that time has the railroad problem been in such utter confusion as to-day. It is highly desirable and perhaps possible that out of the present uncertainty may come some permanent disposition of this question. To that end it is desirable that all phases of the subject shall be fairly presented and fairly considered.

I have never been an advocate of Government ownership or Government operation. I have, however, always realized that this was the only possible answer to many of the difficulties surrounding our so-called railroad problem. As I read the papers and observe what is transpiring before Congress, it rather seems to me that there is a disposition upon the part of unthinking persons, fostered with great skill by those interests which profit by private ownership, to eliminate the possibility of Government operation. It seems to be assumed that Government operation has been tried and failed and that no further consideration need be given to this subject.

A majority of the world's railways outside the United States of America are owned or operated, one or both, by the government. In recent years there has been a continual progress in favor of Government operation, and in no well-considered case has any nation ever gone from public to private ownership. England in the past has been unalterably opposed to every suggestion of public ownership, but I am told that, as a result of the war, public sentiment will insist upon the nationalization of railways. I feel that the question is one for serious consideration, and as an insignificant contribution to the discussion I desire to affirm three propositions:

1. Government operation in the United States under war conditions was not a failure, but a success.

2. There has been up to the present time no fair test of Government operation under peace conditions.

3. Advantage should be taken of the present situation to make such a test, and the public should suspend its judgment until the result of that test is known.

I.

The Government took over our railroads for two purposes. First, to stabilize the financial condition of the railroads.

The war produced a most serious and unfortunate effect upon all public utilities. As a rule, the rates of such utilities were fixed and could not be immediately increased. Their operating expenses enormously advanced. The result was to bring upon all financial disaster and to produce in many cases absolute bankruptcy. Electric lines, like the elevated in Massachusetts, performing the traction service for the city of Boston, the Brooklyn Rapid Transit Co., in New York, performing a like

service for a large portion of that metropolis, have gone into the hands of receivers. Hundreds of other corporations have been brought to the verge of ruin, although they have not yet actually collapsed. The three great express companies which were not taken over by the Government all operated for the first six months of the year under a heavy deficit. The Adams Co. lost in that brief period $6,0000,000, more than one-half the value of all its operative property.

The railroads alone were taken care of. Their security holders are being paid a sum equal to the largest earnings ever known in the history of these properties. Broadly speaking, interest has been paid upon every security and a dividend declared upon every stock which had been regularly paid for the last three years. The first purpose of Government control has been abundantly accomplished, and yet these railroad gentlemen are virtually saying to the country that the Government which has protected them from bankruptcy in the hour of their financial stress and is to-day paying them a most liberal return upon the value of their property is no better than a ravening wolf which is seeking to mutilate and destroy those properties.

The second purpose was of a different character. This Government was engaged in a deadly war. It must act speedily. As a part of that action certain transportation by rail was imperatively needed. Food must be taken from the point of production to the port of embarkation with which to feed our starving allies and maintain our own troops. Raw materials must be carried to the munition factory and the completed product transported to the port. Supplies for the erection of cantonments, troops to those cantonments and from those cantonments to the port, must be handled. The railroads under private ownership had broken down. They were not rendering and they could not render this service. To obtain that service by rail which must be had, the Government was compelled to take over these agencies of transportation.

Now, the Government did those things which must be done. I spend no time in detail, but I simply say that the things were done—the food was carried, the munitions were produced, the troops were handled—and all this never could have been done by railroads operated through private ownership. This is a fact which can not be disputed. The second purpose of Government operation was therefore accomplished.

It is clear that my first proposition is established. Government operation under war conditions and to meet war emergencies was a complete success.

II.

You say that the methods of the Government were autocratic. Of course they were. War is not a pastime. Every military operation to be effective must be autocratic, and the operation of these railroads for the time being was part of a military scheme. What had to be done under war conditions is no indication of what might be done under peace conditions.

There never has been, up to the present time, any fair test of Government control in times of peace. Immediately after the signing of the armistice the director general resigned. With that, the enthusiasm of his administration vanished. The director of operation, next in importance to the director general, also resigned. The director of capital expenditures and the director of inland waterways followed suit. There was a letting go all along the line at the top, and this permeated the whole administration. Under these conditions it is impossible, as everyone must know, to maintain morale or discipline or to secure effective operation. You must agree with me, therefore, that up to the present time there has been no fair test of the ability of the Government to render a satisfactory and an efficient service in times of peace and that my second proposition is well taken.

III.

This brings me to my third proposition, which is that before the public passes judgment upon this railroad problem there ought to be an actual test of Government operation under peace conditions, for the reason that the doubtful questions connected with Government operation can only be answered by an actual test. To make this plain, I must say a word as to Government operation itself.

And first of all I desire to impress it upon you—and it should never be forgotten in all these discussions—that the thing itself about which we are talking, the rendering of a transportation service by rail, is in essence a function of the Government. This has been so declared by the Supreme Court of the United States, and the principle is accepted in all our present-day treatment of the railroads. For that reason we determine whether a particular railroad shall be built and how it shall be built; we regulate the issues of stocks and bonds with which that property shall be financed; we fix the rates of transportation which it may charge; we determine the schedules upon which it shall operate its trains. There is no attribute of ownership or of operation which the Government is not to-day exercising in reference to its railroads. The natural, the necessary question arises at the very first step of our discussion: Why, if this is a Government function and if the Government finds it necessary in case of private operation to exercise this measure of supervision and control, should not the Government discharge that function itself?

Years ago governments employed private individuals to collect their taxes, and it was thought that this was the most economical, if not the necessary, way. Later the Government employed private capital to provide its highways and its bridges, and it allowed that capital to make a charge for the use of the turnpike and of the toll bridge. All that, for the most part, has disappeared, and it is now recognized that the Government function of collecting taxes and of providing highways and bridges is best discharged by the Government itself. Asking you to bear carefully in mind the public character of the thing which we are discussing, let me now call your attention to some of the questions which are involved in a solution of this railroad problem.

At the basis of this whole subject lies the matter of revenues. Every suggestion from the carriers or those professing to represent the carriers gives prominence to the importance of providing adequate revenues. Let us consider for a moment, from the Government and the private standpoint, this matter of revenue.

And, first, the Government. It would not be possible to-day, under present world conditions immediately following the conclusion of the war, to finance the railroads of this country upon a 4 per cent basis; but if the past is to be taken as any guide to the future, if our experiences even of the present are at all convincing, it would be possible for the Government in the immediate future to convert the securities of our railroads into a 4 per cent Government bond or a 4 per cent railroad bond guaranteed by the Government. The net revenue, therefore, which the Government requires, and the only revenue which it requires, is a sufficient income to pay 4 per cent upon the value of these properties.

Turn, now, to the private side and listen, as I have listened for many days, to the pleas of these railroad gentlemen for additional revenues. They will assure you that it is not possible to maintain their credit, to provide for the development of their properties, which must be done if the public is adequately served, without a return of substantially 9 per cent; and I am bound to admit that what they say is not without force.

The railroad finances of this country are not in satisfactory shape and they have been continually growing worse in recent years. But little money has been raised by the issue of stock. New money has been provided mainly by mortgage security. The margin between value and the amount of the mortgage has been continually shrinking. The time has already come when many of our railroad companies can no longer borrow additional funds, and the time will come sooner or later when nearly every company will find itself in that condition. Additional railroad facilities must be provided, and if those facilities are to be furnished by the railroads themselves, they must, in my opinion, either receive direct assistance from the Government or be granted the right to impose rates which will yield an income beyond a fair return upon the value of their property and beyond what they have been receiving in the past.

If it be assumed that 9 per cent is the correct figure, you have the difference between 4 per cent, which the Government must pay, and 9 per cent, which must be paid to the private owner, or 5 per cent. The value of our railroads upon the basis of prewar prices is somewhere between $15,000,000,000 and $20,000,000,000. Five per cent means, therefore, between $1,000,000,000 and $750,000,000 annually. The people of this country start out, therefore, by paying the private owners of this property that sum to discharge for them this public function.

I do not say that this may not be best. On the contrary, it may even be a good investment, but I desire to call your attention clearly to the fact that the Government could save upon the face of things annually by operating these properties itself this enormous sum.

It is true that the effect of this might be somewhat ameliorated in various ways as I have myself elsewhere pointed out, but I know of no way which does not involve the handing over to the private owner of many millions each year which the Government itself might save.

Another question which must be solved if these railroads are to be passed back to their owners is that presented by the short

line—the weak sister. All over this country, but perhaps especially in the Southeast, are railroads from 25 to 150 miles in length which are known ordinarily as short lines. They are independent properties, having no connection with any larger system. They connect with some trunk line, but there is no financial relation between the two.

In the past these lines have managed to eke out a precarious existence, but the recent increases in operating costs which they have shared along with larger systems have brought them to the pass where earnings are no longer sufficient to pay operating expenses. Almost every day there comes to my desk at Washington a suggestion that some one of these lines must go out of business. Its equipment is to be sold, its rails are to be taken up, for the reason that under the highest rates which can be applied revenues will not equal the cost of operation.

These lines are a vital part of the existence of the communities which they serve, and which can not normally exist without them. Some way must be devised by which their operation can be continued. I have always believed myself that the railroads of a given section, and perhaps of the entire country, must be considered as a whole. This little railroad transports the cotton grown along its line for but 50 miles, but that cotton is subsequently transported over other railroads 1,000 miles to the mill where it is consumed. The supplies which that mill uses, the cloths which it produces, are all the subject of transportation by rail. The articles which are consumed in the community served by this little railroad, the fertilizer, the boots and shoes, the groceries, everything, are only handled a few miles by that road, but they have all involved before they reach that road a great amount of transportation by rail. Now, it is not possible to shake this short line free from every other railroad in that section or in the country and say that the rates upon it should be sufficient to maintain the property. In essence your short line is a part of the railroad system of this Nation and must be taken care of as such.

What is true of the short line is true of many long lines in this sense, that owing to conditions of various kinds rates which are fair to one railroad system will bankrupt another and will yield an undue return to a third. There is no good reason why railroad A should make 20 per cent, railroad B 10 per cent, and railroad C nothing, as often happens, under a schedule of charges which must be the same for those three lines, since they are in essence competitive.

This question, which goes to the very heart of the railroad problem, which must be answered before you can properly serve the communities of this country, especially before you can provide for future railroad development, is susceptible of only one complete solution. The difficulty may be in a degree mitigated, but the only perfect answer which leaves nothing to be desired is that the Government operate these railroads as a whole, applying just and reasonable rates, and that every part of the transportation system of this country shall contribute properly to every other part.

Another matter which must be dealt with is this general question of unified operation. It has just dawned upon this country that competition is wasteful and ought to be restrained. People are beginning to realize that unnecessary trains have been operated, that freight has been carried by circuitous routes and in most extravagant ways without any real benefit to the public, and that for all this foolishness the public has been required to pay. It has become perfectly apparent both by reasoning and by actual demonstration that if the railroad facilities of this country could be used as a whole, if equipment and joint facilities could be employed to the best advantage, if all duplication of effort could be avoided, the same amount of transportation might be accomplished, the same service rendered to the public with a saving of millions of dollars annually. It is generally conceded, therefore, that when these roads go back the law ought in some way or other to permit of the restraint of competition.

While it has always been my own belief that competition between carriers might to some extent be eliminated without injury to the public, it is apparent that this can not be made effective to a high degree unless we are prepared not only to permit but to compel. This administration has provided in the city of Chicago an ideal joint ticket office. While our joint ticket offices are not in all cases perhaps satisfactory, that Chicago office is complete and meets the approval of everyone. I recently asked the traffic representative of one of the large lines using that facility whether it would be continued if Government control were to end. His reply was that the stronger lines would probably favor its continuance, but that the weaker lines would be likely to withdraw and establish offices for themselves and that this might lead to a disruption of the whole project. It has usually been the competition of the weak line which has disturbed the situation, and unless some way can be found to check that competition but little will be accomplished.

For my own part, I do not feel that it is at all certain that competition ought to be eliminated. The great objection in my mind to Government ownership has always been that competition would be and must be thereby destroyed. I have doubted whether the same service could be rendered without competition which was rendered under the competitive spur. If the Government can render a satisfactory service, then a great saving can be made by unified control and the only perfect unification is under the Government itself. Can the Government and will the Government render a satisfactory service?

I have already said to you that up to the present time there has been no trial of Government operation under peace conditions. Plainly stated the first purpose of the Railroad Administration hitherto has been to win the war, not to serve the public. As a result the service has not been satisfactory. The principal complaint of the public is that its wants are not properly respected and its complaints not properly heeded by the railroads. The off-line solicitor has been called in and there is no one to give the information and render the service which he formerly supplied. It is difficult to obtain information of any sort either as to the location of your freight or the movement of trains. Even the abounding time table of the past has largely disappeared and the public is left without means of self-information. These and many other things have created the impression in the minds of the public that the operators of these railroads who ought to be the servants of the public are entirely disregardful of the wishes of the public.

I can not deny that these allegations are true to an extent, but I do most earnestly insist that the conclusion ought not to be drawn that a proper and satisfactory service can not be rendered by the Government. That question can only be answered by an actual test. What the conditions of that test ought to be to make a satisfactory one will be considered later; what I desire to emphasize now is that this question—Can the Government render a service satisfactory to the public?—can not be answered except by actual experience. The public should suspend its judgment until the result of an actual test under fair, normal working conditions is known.

The most important factor in this whole discussion remains to be noticed, namely, labor. The total number of persons engaged in the operation of steam railroads reporting to the Interstate Commerce Commission was during the year 1917 approximately 1,750,000. During the year 1918 the director general has himself expended in the operation of the railroads under his control something in excess of $4,000,000,000. Of that enormous sum approximately 62 per cent was paid to labor.

The majority of these employees are voters to-day and the proportion will undoubtedly grow larger in the future. Railroad employees acting together can exercise a profound influence upon any political issue. Under all these circumstances, can the Government deal with labor?

There are two phases of this question: First, the fixing of the wages which shall be paid to the employee; second, the securing from that employee a proper return in service for the wage which he receives. These two things are entirely distinct and proceed upon different considerations.

The determination of the rate of compensation which the railroad employee shall receive is profoundly affected by the circumstance that this railroad is a public servant. This will readily appear from a comparison of the elements which control the wages of an industry served by the railroad as compared with the railroad itself.

Consider the cotton mill which the railroad serves. The owner of this mill buys his cotton and his other supplies at the market price. He hires his labor. He pays all the expenses of producing a finished product and he sells that product at the market price in the open market. So long as there is a margin of profit between the cost of producing the thing which he sells and the price which he can obtain for it, his business continues, but if the cost of production exceeds the selling price his business stops and he shuts down the mill. Ultimately, therefore, labor must accept from the proprietor of the cotton mill that figure which he can afford to pay and still produce his article at a profit. It may have been that in the past the manufacturer of cotton cloth has made an undue profit himself, that he has not given to labor a fair share of this profit, and labor may be able by various devices to extort from him a greater share, but it can never obtain what does not exist, and therefore there is of necessity an automatic regulation of wages.

With the railroad it is entirely different. The railroad has no commodity for sale. It used to be said a quarter of a century ago, when I first began to discuss these questions, that transportation was a commodity to be sold to the highest bid-

der, just as cotton cloth is a commodity, but that idea has long since disappeared. It is admitted on all hands to-day that transportation is a service the price of which may be fixed and must be regulated by the Government. The cotton mill can shut down, but the railroad must keep going. Its continued performance is necessary to the very existence of the public which it serves. It therefore follows that there is no automatic regulator of railroad wages. And it further follows, I think, that just as the Government determines the rate which the carrier shall charge for its transportation, so it must finally determine in some way the wages which it shall pay for its labor.

There will undoubtedly come to be a certain relation between the wages paid in the field and the factory and the counting house along the railroad and those paid to the railroad employee, but that relation is largely sentimental. The history of recent years shows that the private corporation is unable to deal with railroad labor. All thinking men have come to realize that laws of some sort must be devised to protect the public from the consequences of these disputes between the private operator of a public utility and his employee. The public can not permit a suspension of those services which are essential to its very existence, while railroad managers and railroad workers are debating railroad wages.

Looking therefore to the first phase of the wage question, the Government not only can deal with labor but it must deal with labor whether the railroad is under private or public operation.

The second phase presents an entirely different question. When once the wage at which the railroad employee is to render his service has been fixed, can the Government obtain from that employee a proper amount of service? Every employer of labor understands the importance of obtaining from his employee a proper amount of the proper kind of service. Every employer realizes that upon the attention and earnestness of the employee depends the quality and amount of the service rendered. It is earnestly insisted by the opponents of Government operation that the employee of the Government is indifferent and inefficient and will not render in the same number of hours the same amount or the same quality of service which would be rendered for the private operator, and in support of this much may be said.

Many years ago I had occasion to go frequently from my home in northern Vermont to Chicago, and usually made the trip by the way of Montreal, and over the Grand Trunk between Montreal and Chicago. In those days the Grand Trunk was not an up-to-date property. Its stations were ill kept, its cars were dirty, its conductors slouchy, its trains generally behind time. There came a day, however, when a change was noticeable. The stations were swept, the cars were cleaned, the employees held up their heads and moved with more alacrity, the trains were on time. We had not progressed a hundred miles before I felt that something had happened to the Grand Trunk, and I said to the brakeman, whom I happened to know, "Jim, you Canucks are beginning to know how to operate a railroad. What has happened to the Grand Trunk?" He answered, "We have a new manager." And that was exactly what had happened. There had come onto the Grand Trunk as its chief operating official a great railroad executive, Mr. Charles M. Hays, and the presence of Mr. Hays, although he had only been there a single month, was already felt in every operation of that extensive railroad system.

Somebody has said that the quality in which the American soldier excelled the German was the will to win. The will to accomplish at the top of a railroad system or of an operating division or of an individual office will pervade the entire organization beneath and may transform it from inefficiency to efficiency. Now, while it may happen that men will be found in the Government service possessing themselves the necessary enthusiasm and capable of inspiring their subordinates with the same spirit, still it has always been my own thought that this valuable quality was more likely to be recognized and retained under private than under Government ownership.

While, however, it has been my belief that Government operation would find it extremely difficult to secure the proper efficiency of labor, I have always realized that this conclusion was doubtful. My actual experience for the past few years has tended to increase this doubt. As the director of valuation I have had charge of some 1,500 Government employees. These men have all been hired through the civil service and have been employed under Government regulations. They have worked side by side and in direct comparison with railroad employees under private control. I am certain that my men have done more work, better work, and for less money than the corresponding railroad employees.

This, however, may have been due to the peculiar character of the employment. I was able to create in the prosecution of this work competitive conditions which do not and perhaps could not ordinarily exist. Certainly I feel that no body of men could be more loyal to any private employer than the members of the valuation force have been to its director.

Let it be distinctly understood, however, that I am not to-day advocating Government ownership or Government operation. I have been all my life a believer in private ownership. What a man does is usually the best evidence of his belief. What I recommended in case of the express companies shows best my own conviction.

Soon after coming onto the staff of the director general I was requested by him to give consideration to the express situation and make a recommendation. The natural thing to do was simply to take over the property of the express companies and operate the express business in exactly the way that the property of the railroads had been taken over. The express companies themselves desired that this course be pursued. After careful consideration, however, it seemed to me that there was no emergency which required the operation of the express service by the Government and that, on the whole, another plan ought to be adopted. I recommended the adoption of that plan, and this recommendation was accepted by the director general.

What was done with the express companies was this: A new company was organized, which took over the property of the old companies. The capital stock of the new company represents the depreciated value of the property of the old companies plus the amount of actual cash paid in by the new company. The total amount was $33,000,000.

It was agreed that this new company should transact the express business as the agent of the director general, and that it should receive as compensation for this service a certain per cent of the gross express revenue.

Out of this it was to pay the expenses of operation, including taxes and depreciation, as provided by the rules of the Interstate Commerce Commission. The remaining sum was to be disposed of as follows:

First should come a dividend upon this capital stock not exceeding 5 per cent. Any sum remaining over and above this dividend should be put into a guaranty fund for the payment of future dividends, which fund should not exceed 10 per cent upon the capital stock or a dividend for two years. After the payment of the dividend and the providing of the guaranty fund the next 2 per cent should be divided equally between the Government and the express company; the next 3 per cent should go 1 per cent to the company and 2 per cent to the Government; any additional earnings should be divided one-quarter to the express company and three-quarters to the Government.

This represents my idea of the proper basis on which a public service of this kind might well be performed by private capital:

First. The capital stock upon which dividends are to be paid represents actual money.

Second. The dividend payable by the corporation, while reasonably certain, never can be very excessive. The rate-making body would probably aim to establish rates which would permit the payment of a dividend of approximately 6 per cent, which at the present time is not an undue return upon actual investment; but if net earnings exceeded this amount for a time the sum going to the company would not be excessive.

Third. The guaranty fund secures the payment of dividends over periods of small or even of no net earnings, thus giving to the rate-making body opportunity for intelligent observation and action.

A contract of this kind holds out to the private capital an inducement to efficient operation. If you provide that the corporation may earn 6 per cent upon its capital stock or the value of its property, and no more, there is no incentive to go beyond the 6 per cent, but here there is a certain reward for all economical and efficient management. You have, therefore, all the advantages of private ownership while at the same time the public is adequately protected.

If it were possible, I would prefer to apply this same idea to the railroad operations of this country, and I have given a great deal of thought to the working out of some plan by which these principles might be applied. I am saying all this at undue length to give you a picture of my own mental state. After being with this problem for 22 years, I feel that whether Government ownership should be tried in this country of ours can only be determined by actual experiment. In the absence of that experiment, I would myself vote against it, but I do think that advantage should be taken of the present opportunity to make the test.

To-day the United States Government is in the operation of these railroads. Under the Federal-control act two courses were open to the director general. He might leave the operation of the properties largely in the hands of the owners under his control. That plan would not have involved in any proper sense Government operation. The railroad official would have continued to direct the operations of his road acting under the direction of the Government and accounting to the Government for the result.

Or the director general could affirmatively take over the operation of the properties and appoint his men, responsible to him alone and acting for him alone, to perform that operation. The latter course was adopted. It was, in my opinion, necessary to adopt it. So far as I can see, it would be impossible for the Government to more completely take over the operation of these properties than it has done.

Many things necessary to a unified control have been accomplished, often at considerable expense. Joint ticket offices have been established. In some cases freight offices have been consolidated. Methods of unified operation have been put into effect. From my viewpoint most of those which must be done in order to give Government operation a fair test have been done.

This being so, what additional is necessary to give Government operation a working test?

First, and principally, it is necessary to know the period during which these properties are to be retained by the Government. To-day it is uncertain whether this period is to be 6 months or 21 months or 5 years, and this uncertainty permeates and paralyzes the whole railroad operating force from top to bottom. The first thing which should be done in any view of the situation is to definitely fix the term of Government control.

Mr. McAdoo has stated that five years were needed for this purpose, and I understand that Mr. Hines will take the same position. I do not in anywise desire to set my own opinion up against theirs, but before Mr. McAdoo testified I had already expressed an opinion that three years would be about the proper time. The matter rested in my mind as follows:

It will take six months for the director general to formulate his plans and reorganize his forces. The point of view has entirely changed. In the past we have been operating these railroads to win the war, and public convenience has been largely sacrificed to that end. In the future they are to be operated to serve the public. This change in the point of view requires many operating changes. Trains must be restored, schedules must be revised, rules for the receipt, routing, and transportation of freight and passengers must be recast.

One of the most important things, from my viewpoint, is the working out of some cooperative arrangement with the State commissions. Many of my railroad friends have insisted that the State commission should be eliminated, but this opinion I have never shared. Assuming that it would be possible to establish any system of operation or control which ignored the State commission, it would be, in my opinion, most unwise. The local commission has a kind of knowledge and experience which can not be supplied by any Federal tribunal and which should be recognized and perpetuated in any solution of this railroad problem. It has been my belief, and still is, that it ought to be possible to work out under Government control some plan of cooperation which should demonstrate the possibility of obtaining results from proper collaboration between the Federal and the State authorities.

But all this takes time, and I have felt that it would be at least six months before the new director general could be fairly ready for action, before he could formulate his plans, organize his forces, and get his machine into working shape under peace conditions. The ensuing year should show whether the Government can render a service with which the people of this country will be satisfied and at a cost which they can afford to pay. This would bring us to July 1, 1920. By that time Congress would have accumulated and digested the necessary information from which to formulate legislation. If, as seems probable to-day, Government operation was not satisfactory, then a plan for private ownership could be worked out; but if by chance the experiment should disappoint the common expectation, Government operation might be continued under some proper plan. It will require from a year to a year and a half to get these properties back into the hands of their owners and properly arrange for the termination of Government control.

I also call your attention to the fact that by the 1st of July, 1920, the valuation work of the Interstate Commerce Commission will have gone far enough so that a definite idea of the general result can be had. No proper disposition of this railroad problem can be effected until we know what these properties are worth.

Who, then, opposes this suggestion for a test? Who is so fearful of Government operation as to be unwilling to even know what the facts are?

First and foremost stands Wall Street, the railroad financiers, those gentlemen who have accumulated enormous fortunes in the past from the manipulation of railroad securities and who hope to repeat, even though in lesser degree, that performance in the future.

The operations of these men in connection with railroad securities and railroad transactions are partly legitimate and partly illegitimate. To the extent that they are legitimate they are unproductive. Government ownership and operation entirely stops the performances of these people. They naturally oppose it, and their opposition will be exerted, as it always has been in the railroad world, with great skill, persistence, and energy. The influence of these interests upon railroad legislation is the most dangerous because most difficult to identify and combat.

Among the most active opponents of Government control are the group of men designated in the press as "railroad executives." These are the men who were operating the railroads when they were taken over by the Government and who hope and expect to operate them if they are given back. They are earnestly acclaiming against the efficiency of Government operation and are vigorously insisting that private operation should be resumed. While forced to admit that they were powerless when the emergency came and could not perform the task required of them, either physical or financial, they gravely assert that now, when the Government has weathered the storm and brought the ship once more into calm waters, they only are fit to hold the helm. They were powerless in the face of difficulty, but are alone capable when the difficulty has disappeared. It is somewhat doubtful whether this logic, however persuasive in certain quarters, will appeal to the general public which pays the rate and, incidentally, the enormous salaries which these gentlemen have received in the past and hope to again receive in the future.

The large shipper is against Government ownership. Competition is wasteful, but it gives frequently a superior service. It is almost always discriminatory, and that discrimination is usually in favor of the big man and against the little one. While in recent years the great industry, with its highly paid traffic men, has not been able to obtain the preferences which it enjoyed years ago, there never was a time under private ownership when those interests did not enjoy important advantages over the smaller shipper. Generally speaking, those preferences have disappeared under Government operation. There is no discrimination in the use of the post office; there ought to be none in the use of the railroads.

There is also an organization of security holders which professes to represent a great part of the bonds and perhaps some of the stocks of these railroad companies which is vociferously demanding that these properties be returned. It is easy to understand the attitude of Wall Street. We can see why the railroad executive wants back his $100,000 job; it is possible to appreciate the motive of the traffic representative who desires to bid off one railroad against another, but the attitude of these security holders passes comprehension. I have said to you that one purpose of taking over these railroads was to stabilize their securities and that this purpose had been fully accomplished. While every other public utility has seen its surplus melt away, its dividends disappear, the interest on its bonds in default, the bondholders and stockholders of the railroads of this country are to-day receiving more for the use of their properties than ever before in the history of this country, and yet these same gentlemen assert that the roads should be taken out of Government control to save their securities. My friends, the only thing which can save many of these railroad securities is Government ownership or Government operation. One great objection to taking over these railroads is that the Government would almost inevitably pay an extravagant price for many of them. The security holders of this country, instead of demanding the precipitate return of their properties, should rather demand that the Government give careful attention to the financial situation before the properties are surrendered.

Let me illustrate my meaning by a practical example chosen from my own section, New England. The New Haven Railroad is one of the great railroad properties of this country. It operates through one of the most densely populated and wealthy sections of this whole land, and it carries an enormous traffic, both of passengers and freight. A year ago the traffic on that system was very much congested and was handled under great difficulties; to-day those difficulties have for the most part disap-

peared. Unless you have actually stood and observed it you can have little conception of the rivers of humanity which flow through the Grand Central Terminal in New York City, especially at about the end of the year. For 22 years I have made the trip from Washington to Vermont at this season. Never have I seen so many people on the rail. While the service between Washington and New York was poor, never in my experience were the crowds upon the New Haven so well accommodated as this year, and yet for the month of December that magnificent property showed in round numbers earnings of $8,373,000, the largest December in its history, and operating expenses of $7,998,000. This did not include taxes nor its payment to the New York Central for the use of the Grand Central Terminal, which are really an operating charge. Adjusting taxes and joint facility rents there was an absolute deficit of $325,000. The owners of that magnificent property for the month of December would be obliged to put their hands into their pockets to the extent of $325,000 for the privilege of having operated it.

The showing of the Boston & Maine is even worse. As you know, the Interstate Commerce Commission is making a valuation of the railroads of this country, of which I have charge for the commission. It so happens that I have just received the reports from our engineering and land sections showing the cost of reproducing that property and the value of its lands. These reports show that the cost of reproducing these properties, less depreciation but including lands, would exceed their capitalization. The lands of the Boston & Maine system which are used for transportation purposes alone aggregate more than $45,000,000, and this value is not the result of some process of multiplication; it contains no severance damages; it is simply the acreage value of the lands used by that system as compared with similar adjoining or adjacent lands.

Now, this system during the month of December showed an income of $5,441,000 and an operating expense of $7,520,000. The actual disbursements in money for the operation of that property during the month of December were $2,000,000 in excess of its receipts, and in addition to that its taxes were estimated at $250,000.

I happened to be in Boston the day after this estimate had been telegraphed to me at Washington, and I conferred with our auditor in reference to it. He stated to me that operating expenses for the month of December contained $700,000 of back pay, but that there were also certain wage advances which did not appear and which, in his opinion, would nearly equal the back pay included. There is no theory upon which the absolute deficit of this company did not exceed $1,500,000 for this month.

It sometimes happens that weather conditions in that country almost paralyze operations during portions of the winter. That was true of December, 1917, but for this December operating conditions were ideal; not a snow plow left a shed, not an engine was frozen up; nothing can be charged against the weather.

The United States Government took the Boston & Maine Railroad. It has made large advances in the wages of its employees. It has advanced its rates of transportation also. It has to some extent changed its methods of operation and the flow of its traffic. Now, I insist, as a resident of New England, as the president of a savings bank in New England, that the Government has no right to pass this railroad back until it has investigated and amended that situation. The interest of the security holder and the interest of the community both demand this. The figures which I have given you are to some extent estimates, but they are substantially correct. It may be that the indications of this single month are entirely misleading, and that the results of a six months' period may be satisfactory. What I insist upon is that before these properties go back to private ownership the results of this war shall be known and adjusted. All this can hardly be done in less than a period of three years.

In conclusion permit me to vouchsafe a word of personal explanation. Under the Federal-control act the Director General of Railroads was authorized to appropriate the services, or a portion of the services, of any employee of the Interstate Commerce Commission, but without the payment of additional compensation. Under this provision I was drafted and have served as the director of public service and accounting for nearly a year, discharging at the same time my duties as director of valuation. While the war lasted, and under its inspiration, this double burden was not unbearable, but with the return of peace this load, together with the load of increasing years, seemed greater than I ought to undertake to carry. I concluded that I must lay down one work or the other. The commission felt that I ought to continue with my valuation work, and in this I concurred. I shall therefore give up in the near future my work as director of public service and accounting. If I remain with the Railroad Administration at all it will be merely in charge of its accounts. What I wish to do now is to make it perfectly plain that this action upon my part is not prompted by any feeling of dissatisfaction with the present administration. Upon the contrary, were it my privilege, as it is my inclination, to continue in the position which I have occupied, where it was my duty to demand for the public a just rate and an adequate service, I should expect to receive from the entire Railroad Administration, certainly from its head, sympathetic and earnest support. I believe that my successor will receive such support and that the public will be satisfied with its treatment. I bespeak for the administration your good wishes and cooperation.

These railroads, my friends, are your servants. You should insist that they render you a proper service and in a proper manner. But you must remember that the ability of the servant to serve depends upon his treatment by the master. Just in proportion as you mete out to these servants of the public fair and sympathetic treatment, to that extent should they have the disposition and the ability to render to you an adequate service. Cooperation should be the watchword upon both sides. If at the end of a long acquaintance with this subject I could address but one single sentence to the public and railroad, it would be "Get together."

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MASON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1919.

Mr. MASON. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following:

AN OPEN LETTER.

To the CHICAGO ASSOCIATION OF COMMERCE:

The visit of your committee has awakened an interest in the minds of some who did not seem to realize the importance of employment of labor, if necessary, by public improvements until the emergency of reconstruction is passed and normal conditions are reached. Will you pardon me if I presume to offer some suggestions to you, hoping through you to reach the people of Illinois, and through them my associates in Congress?

Added to the other embarrassments comes the embargo by Great Britain on American products, which affects every industry and every man, woman, and child in Illinois. Embargoes for and against the United States are as old as American history, and to handle the present situation intelligently we should know the cause and effect of that operation in the past. Partisanship in the past had much to do with the opinions expressed on both sides on the different occasions when the embargo question presented itself to the American people, and the opinions of historians as to the effect are not free from that bias. In the present threatened condition let us try, in the interest of our country, to free ourselves from partisanship. If I display any party spirit in this open letter it is because I verily believe true history compels it. Commercial retaliation under varying names has been approved and used by most of the Presidents from Washington to McKinley, Adams in 1828; Jackson in 1829, 1830, 1835, and 1836; Polk in 1847; Fillmore in 1858—all before the Republican Party was in power; and Lincoln in 1863; Johnson in 1866 and 1867; Grant in 1869, 1871, and 1872; Hayes in 1880; and Harrison under section 3 of the McKinley bill, called reciprocity, have all recommended, used, and approved this general plan to protect American commerce, manufactures, and farmers.

I deal now with one embargo laid by Great Britain. I am not complaining of Great Britain. She is exporting less than she is importing and buying more than she sells, and is facing the same question faced by all belligerents in the war. The question is whether we who are suffering must suffer more for fear some one will say we are not kind to our allies. Commercial protection does not mean war, but the use of common sense in our competition with the world for trade. Let me call your attention to the sweeping embargo that Great Britain puts on all manufactured goods, which includes American products. They will take our hides but not boots and shoes, the products of American labor.

Commodities which may not be imported into Great Britain after March 1 without special licenses range all the way from essentials to luxuries and include machine tools and machinery for working in both metal and wood, stoves, manufactures of aluminum, wearing apparel not waterproofed, baskets and basket ware, metal baths, cartridges, cement, fat, acids, fire extinguishers, guns, carbines and rifles, hats and bonnets, lawn mowers, linen yarns and manufactures thereof, mats, matting, mops, oilcloth, perfumery and toilet preparations, photographic apparatus, pictures, prints, engravings and photographs, plated and gilt wares, revolvers and pistols, salt, sewing machines, manufactures of skins and furs, soap, spectacles and eyeglasses not containing gold, time-recording instruments of all kinds and movements and parts thereof, wringers and mangles, weighing machines, scales and balances of all descriptions, and vacuum cleaners.

The fact that they exclude the same products from other nations removes any suspicion of unfriendliness toward us, but it hurts to the quick, and we should protect ourselves in the same spirit of friendliness to our competitor, and with due interest in labor and capital in our own country. Other friendly associates in the war will do the same, and if we are deadlocked between the Congress and the President for two years, we will be in a sorry and almost hopeless situation. A Washington newspaper announces that—

> After thinking the thing over carefully, Republican leaders * * * conceded the right of England to make any regulations respecting imports she deems wise, so long as they apply impartially to all commercial nations.

Although this article is not written by Northcliff or other English writer, it suggests we get "busy" and we might pass a protective tariff law. The good faith is so apparent when we consider the strong protective (?) principles of the Executive, and the simple mathematics of making a majority of one in the Senate equal to two-thirds of 96, which would pass a bill over his veto. When we consider that the Executive has refused to increase the income from tariff even on luxuries, and hundreds of millions of dollars are being waived to aid foreign manufacturers, and direct taxes are levied on the people instead, we stand no possible chance for protection for two years more.

Some of your Members may remember our prosperity under the McKinley bill during the Harrison administration. Section 3 of that bill simply directed the President to lay an additional tax on tea, coffee, sugars, and hides on countries imposing "exactions" on products of American farms or shops. By reason of that section we made reciprocal treaties with 14 countries, which was worth hundreds of millions of dollars in trade to the United States.

Do you think we can pass any part of the McKinley bill in the next Congress? If we do, will the President sign it? Why not pass an old-fashioned American act, not in anger, but in earnest defense of America, which shall direct the President to order a tariff tax of 100 per cent ad valorem on every article exported to the United States from every country that imposes a prohibitive duty or "other exactions" on American products and direct him to withdraw that extra tariff when the nation discriminating against us removes its "exactions" as to our products?

The ultraconservatives will say, "That would be a delegation of legislative power to the President." The Supreme Court of the United States says no, it would be a direction to the President to do certain things on the happening of certain conditions. In 1809 Congress forbade the importation of goods from Great Britain and France and provided when those countries changed their policy on American goods the President should open the door by proclamation. In 1810 President Adams proclaimed that France had "modified her edicts," and trade was resumed.

Some may say this is radical. Something radical must be done. The workman will struggle to maintain his wage. Even when living comes down he wants a margin for the rainy day. Put yourselves in his place. The manufacturer, being deprived of any outlet for overproduction or normal production, can not live. The farmer's market is ruined. Labor and capital both staggering. If we submit to go on under our present low tariff and the embargoes laid upon our people by Great Britain, to be followed by others, idleness and starvation face us, and we will have the Congress, the President, and the business man to thank for our condition. You are business men. Look at the millions we have lost in six years of low tariff, and are still losing. Consider how the manufacturer had to fight to live before the war, and will have to now go back to the same conditions or worse. Consider that the broken manufacturer pauperizes the farmer, starves labor, and bankrupts the merchant. Consider that business men are being crippled by the present high taxes. Consider that we are appropriating billions more than the estimates. Remember, though the war is over the day of service and sacrifice is not passed, and if anyone can tell me how we can increase our revenue and employ our labor any better than by treating our commercial rivals no better than they treat us I shall be pleased to hear from him.

Respectfully, your obedient servant,

WM. E. MASON.

The Naval Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. BURTON L. FRENCH,
OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1919.

Mr. FRENCH. Mr. Speaker, it is a matter of deep regret to me that I can not support the entire program recommended by the Naval Committee to the House and provided for in the Navy appropriation bill. I have consistently opposed a large standing Army for our country in time of peace, and, on the other hand, have felt that in a strong Navy was greatest wisdom. In fact, I was voting for what we then called a large Navy at a time when a good many here, and especially on the other side, were opposing such a program, men who to-day are contending for the pending measure.

Now, what are the facts as to the need for the present program?

The pending bill calls for an appropriation of $746,000,000 for the coming fiscal year to meet the expenses of the Navy, and in addition an authorization of a building program in the amount of $415,000,000, or a total authorized expenditure of $1,160,000,000. In the item of $746,000,000 is included $179,000,000 that is to be applied to the building program authorized in 1916.

Do we need to include the item of $415,000,000?

Let us see. What is the relative strength of the navies of the world? From the figures of the Navy Department for 1917 the relative strength was as follows:

	Navy craft (all kinds) in service.		Building and projected.	
	Number.	Tons.	Number.	Tons.
Great Britain	680	2,375,564	75	161,850
Germany	262	1,058,240	(1)	(1)
United States	153	860,017	82	500,053
France	270	642,386	41	248,450
Japan	127	550,756	22	157,437
Russia	192	462,351	16	185,270
Italy	168	396,738	65	168,051
Austria-Hungary	132	225,697	(1)	(1)

[1] Unknown.

NOTE.—The building and projected program columns are not definite.

From the foregoing, measured by tonnage and omitting Germany from the calculations, which we could not do in 1916, the United States is an easy second in rank among the world powers. More than that, when the building program I have indicated shall have been completed, the United States will be a strong second and the difference vast between her Navy and the navy of France or Japan or Italy.

While the armistice has been signed, technically we are still at war, and I shall say nothing as to any part of the bill except the part which provides an additional expenditure of money in the amount of $415,000,000 for a new building program to begin in June, 1920.

I am opposed to this program for the following reasons:

First. Our Navy is now larger than any other in the world except Great Britain's, and will be vastly larger than any other except Great Britain's when the present building program shall have been completed. It must be remembered that Germany's Navy has been taken from her.

Second. I am opposed to this program because the great powers of the world are staggering under enormous debts, have lost tremendously in man power, and by comparison with the United States are vastly weaker than they were five years ago.

Third. I am opposed to this program because our present program is not completed. We are in this bill appropriating $179,000,000 to carry it forward, and it can not be completed for several years. Numerous ships have not even been begun.

Fourth. I am opposed to this program because, if any reason shall develop why we need it, we can adopt it in the next Congress. This program is not to begin until June 1, 1920.

Fifth. I am opposed to this program because I hope that one of the by-products of the war will be an arrangement among nations for the reduction of armaments. Let us wait and see.

Sixth. I am opposed to this program because our people are under an enormous burden of taxation, and it is our solemn duty not to increase that burden if it can be avoided. Do you realize that to keep up the Navy alone, if this program shall be carried out, will cost the American people $550,000,000 every year? Mind you, this is just the upkeep.

I shall not trespass further except to include in my remarks a short editorial from the Moscow (Idaho) Daily Star-Mirror of February 6, 1919, that bears upon the matter of expenditures of public moneys:

GETTING WILDLY EXTRAVAGANT.

The American people are becoming wildly extravagant. They are "running amuck" in the matter of "frenzied finance," and it is time to call a halt. The war has awakened new ideals, and we have ceased to think or talk in terms of millions and use billions instead. If this continues, we will soon be using trillions as our measure of finances. No nation, even the United States, the richest on earth, can stand this pace.

EXTENSION OF REMARKS

OF

HON. JAMES A. FREAR,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1919.

Mr. FREAR. Mr. Speaker, we have reached the close of this $1,117,000,000 Army bill that is ten times as large as any of its predecessors in times of peace, and our country is now at peace.

We have just passed a gigantic naval bill five or six times the size of similar bills before the war, notwithstanding we have a Navy larger than any three world-power nations combined, outside of Great Britain, and these two war bills in time of peace levy an average tax of $20 on every man, woman, and child in the United States, in addition to our enormous $18,000,000,000 debt obligations, which are rapidly increasing.

This military bill has been shown to be wasteful in form and in fact, because lump-sum appropriations reaching hundreds of millions of dollars in one case are items in this bill covering different estimates and are a continual invitation to bureau chiefs to spend every dollar in some one of the different activities covered by the item. The temptation is too strong to resist, and Congress is a party to the waste when it approves this bill.

No Member will hamper the War Department in times of war, but in times of peace and enormous debt and tremendous tax levies it is legislative folly to blindly grant power and unlimited public funds which bureau chiefs in every department of Government are vociferously demanding.

Chairman DENT, of the Military Committee, has said in discussion that the estimates of committee allowances found in this bill are frequently "a matter of guess." This is certainly so, but let me illustrate how wild a guess becomes when bureau chiefs are allowed to make them without restriction. Last Saturday I moved to reduce an item for the construction of reclamation plants and other matters which carried $4,000,000. It was reduced on motion to $2,000,000. Committee members valiantly defended the item until my colleague Mr. STAFFORD read from the hearings that $300,000 would cover all necessary work in sight, and only $400,000 had been given for this item prior to the war. The amendment prevailed. Possibly the reduction ought to have been greater.

A few moments later I arose for recognition to move to cut an item for reserve officers of $3,000,000 down to $500,000, but Chairman DENT, of this Military Committee, was recognized, under the rule, and offered an amendment not clearly understood, and the colloquy in the RECORD is illuminating:

Mr. FREAR. What does that amendment carry?
Mr. DENT. That means that instead of $3,000,000 it is cut to $100. I hope that satisfies the gentleman.

It certainly did, and other reductions were made in the bill, but many others were refused. The illustrations offered show loose methods of appropriation in this $1,117,000,000 bill, for which the different bureaus and not the committee are directly responsible.

A far more important vice affecting the future of this Government was contained in the bill in its attempt to foist a standing Army of a half million men on this country in times of peace. That is what the Army staff wants, whether the committee admits it or not, and every thinking man knows that it would be impossible to secure a half million men by volunteering. One of two alternatives then remained, either to enforce conscription in times of peace to make up this large army or keep in the service those who are clamoring for their discharges and have a right to them, and we were asked to break faith with the citizen soldier. Under the rule brought into the House we have just reduced the 500,000-man Army contained in the bill to 179,000 men, the same sized Army we had before the war.

Congress determines our future policy. I do not believe our people want a military autocracy continued like that evidenced by 22,000 tragic courts-martial proceedings that have revealed a Prussianized system as bad as anything reported from Germany. The people know what happened to Germany and to the German system. They know what invites revolutions and wars, and after spending $30,000,000,000 and many thousands of lives to bring a lasting peace, they want that peace and a demobilized army. The Army has been reduced to reasonable size on paper, but we want over 2,000,000 men now in the Army demobilized, in fact, and brought home. I had amendments I intended to offer, but can not do so on this bill under the rule which has been adopted. They provided that all soldiers drafted or enlisted for the war emergency should be demobilized within 60 days in this country after the passage of this act, and within four months when abroad with full pay until they reached the post nearest place of enlistment, and no pay or allowances would be given any officer in charge of men who failed to put such order into effect within the time fixed by law.

In justification for offering these amendments Chairman DENT has advised the committee that it took three months to demobilize 175,000 men abroad, and at that rate it will take over two years more to demobilize the remaining 1,600,000 men in the expeditionary force. My amendment insisted on getting all men back in four months more; and if we could get them over at the rate of 250,000 men a month when the sea was infested with submarines, we can now commandeer every vessel in the country if need be, including 39 battleships and 41 cruisers, that are on the seas in service, and which can be put to no better use than getting our boys home. Even if crowded two in a hammock, it would be preferable to the horrors of Brest or the dreary monotony of camp life, and hundreds of thousands of dependents are equally concerned in the return of these soldiers. They were promised quick return home after the war, and Congress should insist that that promise be kept, sustained, as it is, by the news that the new armistice signed yesterday amounts to a peace agreement.

According to the gentleman from Virginia [Mr. HARRISON], the General Staff says it put forth a special effort in this country to get 194,000 men home the week before Christmas, but only 30,000 a week were sent in February, and it will take six months more at that rate, while some commanders are reported to have declared they will not demobilize until they get ready, and any soldier asking to go home will be "sent to the guardhouse." Responsibility for early demobilization rests with the administration, but if we cut off the pay of the officers who refuse to discharge the law it would be salutary in effect.

Any soldier writing to a Congressman is summarily dealt with by these martinets, we are informed, and the same petty officers who received their first appointments to West Point from Congressmen, whose interference is now challenged, although 2,000,000 men remain in service and have no one else to whom they can and do freely state their claims.

I know the Navy League and the Security League and their Wall Street backers, who were exposed in the recent congressional investigation, want the biggest Navy in the world and a great standing Army, but the people who write us by the hundreds do not want that, and these same people are the producers and consumers, who furnish the fighting men and who eventually pay the tax, and the Security League and other leagues do little more than lip service.

To show the soundness of my amendments to reduce items appearing in this bill, the estimates were made for an Army of 500,000 men, as amended by the General Staff, that wants a large standing Army. I questioned the committee whether the House would agree to an Army of that size, and now, at the conclusion of the bill, we have reduced the proposed Army to 179,000 officers and men, as it was before the war. We could not raise or maintain an Army of 500,000 men without con-

scription, and we will not adopt Germany's methods without inviting her defeat and the revolution that was sure to follow.

But this bill of $1,117,000,000 provided for an Army three times as large as we have agreed to, and while the Army now under arms must be cared for, this bill, which has been cut less than $50,000,000 on points of order and amendments, should have been cut hundreds of millions to meet the expenses of an Army only one-third the size of that first proposed in the bill. Army officers and bureau chiefs in every department ask for all they can get, but this bill should have been cut far deeper, and it would then have met every necessity and saved the people back home from unnecessary burdens of millions of dollars.

EXTENSION OF REMARKS

OF

HON. HENRY Z. OSBORNE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919.

Mr. OSBORNE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a speech delivered by the Hon. CHARLES H. SLOAN, of Nebraska, at the First Congregational Church of Washington, D. C., on February 12, 1919, before the Grand Army of the Republic, Department of the Potomac, and associated patriotic orders of that jurisdiction.

Mr. SLOAN said, in part, as follows:

"Mr. Chairman, it is good to meet here in this House of worship to-night, serving as a forum of citizenship, adorned with the stars of glory and the stripes of union; in this capital city which has become the world's cynosure. It is the capital of a nation most commanding and potent in commerce, finance, and martial power; yet, withal, passing through a crisis the outcome of which gives thoughtful Americans deep concern.

"The mariner emerging from a storm and anxious for his bearings, lest rock or shoal his craft would smash, looks not to floating wreckage, drifting iceberg, or shifting waves. He has recourse to sounding depths, the magnet, and the sun. Those are the guides that through the ages have never failed, while icebergs have melted, wreckage washed upon distant shores, and recurring waves left no trace. These are days when we should look to the ancient landmarks—Washington and Hamilton, Jefferson and Jackson, Lincoln and Cleveland, McKinley and Roosevelt. [Applause.]

"As a new Congressman, coming here eight years ago, one of the first objects to attract my attention was the mighty obelisk off toward the Potomac, the Washington Monument. I recognized the propriety of its existence, but Washington never seemed to so thoroughly deserve that lofty recognition as he does now. Money measures commercial value. It often measures sentiment. I read recently of a Gilbert Stuart Washington picture selling for $21,000 which three years ago had sold for $3,500. There is instinctively a groping and grasping mid rocking revolutions for that which has been tried, found good, strong, and enduring.

"So down nearer the Potomac is being finished a monument to Lincoln. While I voted with pride for its establishment, never did I deem it so nobly deserved by the martyr as now, when people freed from the frenzy of actual war look about, note the course we have followed, the waste of war, the entangled web in which we find the Republic, the problems we must solve, the heroic stands we must take, that the Republic, entangled in any embarrassing alliance, will assert its independence, present to other nations the highest example of free government for emulation and advancement, but not through our descent toward their present level. [Applause.]

"So it is fitting and proper that on this day, a century and decade removed from his nativity, there should be more speeches delivered with Lincoln as the theme than on any other day in that period of time.

"It is peculiarly fitting that Lincoln's Birthday should be celebrated under the auspices of the Grand Army of the Republic—that mighty Army with no predecessor, to have no successor and no recruit, now gallantly standing against the charge of the pale horse cavalry and battling without reserves.

"I can not hope to bring a new message of Lincoln to a Washington audience. [Applause.]

"It is to the credit of American intelligence that few men can say anything new of Lincoln. Young and old know the essential facts of his life, the qualities of his character, and the tragic details of his untimely taking off.

"When Lincoln was born our Constitution was only 20 years old. Fulton that year claimed his patent which freed water navigation from the slavery of the wind, and 35 years before Morse eliminated distance by the electric spark.

"On that day Darwin was born. In that year Mendelssohn saw the light.

"It was the natal year of Lord Alfred Tennyson, who wrote 'Better 50 years of Europe than a cycle of Cathay.' Had he lived till now he might revise his inspiring estimate. That year Gladstone, the greatest British statesman between William Pitt and Lloyd George, had his birth. Massachusetts produced Oliver Wendell Holmes and Virginia Edgar Allen Poe, the poets of sunshine and shadow. That year witnessed the birth of Cyrus McCormick, the American wizard of the harvest, whose improved mechanism in the crush of war enabled America to feed the world.

"Thomas Jefferson was closing his second administration.

"Napoleon had but recently weakened Europe and strengthened America by the sale of the Louisiana Territory. He was then walking upon the writhing forms of European kings. The sun of Austerlitz had risen, Jena and Friedland had been won, and Europe rocked at his feet while he stood at the zenith of his power, while kings became his subjects and emperors to no purpose were combining against him. There were yet to be the conflagration of Moscow, the snows of the north, Waterloo, St. Helena, and a rocky tomb.

"Such was the world setting of Lincoln's nativity. But the setting would not be complete were it not said that within a year, within a hundred miles in the same dark and bloody ground, Jefferson Davis first saw the light. Two companion snow drops, pure, clear, and crystalline, as they fall touch the loftiest peak of the mountain chain. They freeze into a mighty mass which yields to nothing but the wooing of the summer sun; and while they lie but a few inches apart, in their melting mass each moves down a different slope; each finds its river to the sea. One reaches the turbulent Atlantic, the other the peaceful Pacific. Davis moved southwestwardly to Mississippi, the then great cotton State, where slavery thrived. Lincoln found his way through Indiana to the prairies of Illinois, where labor was free.

"Lincoln believed in the Nation. In the matter of finance, commerce, and slavery he was a nationalist. He favored a national monetary system. He was a strong protectionist. He planned in good time to free the American slaves. As he favored American commerce above the interests of any other nation, so he spent no time or energy freeing slaves abroad while chains clanked at home. He saw American needs first, and was for America first concerned. [Applause.]

"In this he furnished a mighty example for the statesmanship of to-day.

"Estimates of Lincoln's greatness depend upon the standpoint from which they are viewed. Illinois was the great antebellum western State and Lincoln its primal character. It is wonderful how many people throughout the various communities of the great Northwest who sometime during Lincoln's career lived in Illinois and came in contact with Lincoln. If you were to ask an old resident of Illinois what was the great feature of his career he would say 'his debate with Douglas.' When we come to think about it, sweeping over the whole period of recorded history, no discussion was ever conducted by two greater characters, or has commanded anything like as much interest, as the Lincoln and Douglas debate. Douglas was known to be a profound lawyer, subtle logician, experienced statesman, and brilliant debater. Many of Lincoln's friends urged him to avoid the debate. But there we look through the modesty of the man to a recognition of conscious power. Then, as in after time, Lincoln, although never self-asserting, knew and trusted his own strength.

"An egotist is not unbearable if he does not too much advertise, and few men without a modicum of egotism become in the world's contest prize winners. While the immediate prize was the senatorship, both knew the ultimate prize was that seat higher than the throne of kingcraft and mightier than the seat of emperors—the American presidential chair. [Applause.]

"It was a titanic battle; a mental struggle of intellectual athletes. There was the keen thrust of wit, the studied stroke of reason, the ponderous blow of logic, the storm of invective, the persuasive and overcoming effect of inspired eloquence, man to man, brain to brain, each commended or criticized by friend or foe.

"I spoke some time ago to an old Member of the House of Representatives, now gone to his reward, who obtained the eastern view of Lincoln in his Cooper Institute speech. His friends had said, 'Do not go to New York. It is the home of

Seward. That speech made at Cooper Institute will defeat you.' Again he had confidence in himself and his cause. He went. He made that memorable speech. That speech made him the presidential nominee. He revealed new and strange powers of oratory to the East. It was not the florid, ornate utterance of the South. It was not the keen, classic analysis of the East. It was that direct and convincing expression proceeding from a clear brain prompted by a good heart that swayed the judgment and clinched conviction.

"Again, and multitudes there are who insist that Lincoln's position of supreme exaltation was upon the platform of glorious Gettysburg, where he worded a national epic in two paragraphs of prose and concentrated the philosophy of his country within a few sentences. Daniel Webster, who divides with Edmund Burke the oratorical honors of the English tongue, says true eloquence rests in the occasion, in the theme, and in the man. The occasion was the gathering of the Nation's greatest to commemorate the mightiest battle and victory of the great war. It was on that field of fearful carnage. The speech was by the central figure of the triumphant North. He stood the test. He spoke as man had not spoken since Paul addressed the Athenians on Mars Hill. Lincoln spoke with the boldness of Paul and the authority of the Nazarene. It was the third in point of time of the three great short speeches of earth—Hebrew, Greek, American—at Mount of Beatitudes, Mars Hill, and Gettysburg. The Nazarene spoke as man had never spoken, not as the scribe; Paul surpassed the oratorical conception of cultured Greek; and Lincoln eclipsed the effort of the classic Everett. [Applause.]

"I have read and heard the speeches of other orators who could gather and sway great multitudes. They leave you hating your neighbor and with class arrayed against class. Lincoln's speeches breathed charity and tolerance and steadily developed national sentiment. His listeners' thoughts were directed to unionism and not to sectionalism on the one hand, and country rather than world on the other. Under the witchery of his words our country looked larger; its mountain chains higher; its waters purer; its valleys greener; its Constitution stronger; and its flag fairer, until it developed all the beauties of God's arched promise painted on the cloud. [Applause.]

"Many there are watching the current of modern events and studying the life and career of this marvelous man; see as the chief evidence of his ability, tact, power, and courage in the selection of his great Cabinet. Places of responsibility were not filled by henchmen practically unknown to the country who had brought their quota of delegates to his support at convention.

"Nor yet was any commanding figure rewarded for defection of his friend and his coming over to Lincoln. But Lincoln, great lawyer that he was, great debater that he was, had that manly and profound respect for great and powerful adversary which could not be given to weak and fawning friend. So from the ranks of the mighty who opposed him in the great national convention he selected the learned, tactful, politic Seward; the profound, though ambitious, Chase, and the mighty Cameron. Lincoln knew that these men would not bow and scrape, 'that thrift might follow fawning,' but believed in their loyalty, knew of their ability, and feared not their ambitions. In form, his Cabinet seemed to dominate him. In fact, as history now settles, the Cabinet as a whole, as well as its individual members, bent and were guided by his will so that throughout the great struggle a superlative President was supported by a premier Cabinet. [Applause.]

"To my mind, however, the supreme evidence of Lincoln's greatness was his devotion to the great constitutional purpose of his office and the clear recognition of the three great departments of Government and their independence. Obedience to that oath requiring him to preserve, protect, and defend the Constitution, which meant preservation of the Union, he kept as the pole star of his course, though the slave power threatened, though abolitionists demanded emancipation, and though his own conscience bespoke his breaking the chains. He was a minority President. The people of the United States had not voted for emancipation, and Lincoln, true to his obligations to the situation and the people, refused to make a divided opposition the means of carrying out a doctrine favored by him but for the enforcement of which only a minority of the American people had apparently voted. So, above the curse of the slave power, the impatient demand of the abolitionist, and the pleading of our conscience, which for years has bidden him strike slavery a great blow, he kept the one purpose of union to the fore and never resorted to a blow against slavery until that blow appeared to be the one which while incidentally destroying slavery would serve the purpose of saving the Union.

"In a western city some years ago a Cabinet officer, speaking of his chief, the then President of the United States, said that the President had an absolute master, and that master was his conscience. The American people do not object to conscience activity of any man to whom they have given the highest grant of power, but a great many do object to the undue emphasis of that personal element over the constitutional one. Conscience represents that which is best in man, but the Constitution of the United States represents the composite, crystallized conscience of the fathers, approved and supported in all its pristine purity, strength, and force through 140 years of all the people. The founders of the Republic and the builders of the Constitution gave a rule and guide for their executive officers. The people's choice was not asked if he would be ruled by his individual conscience. He was required to submit to the collective will of the people as laid down in the Constitution and developed from time to time in the laws of the land. No man would say conscience might not counsel, but the Constitution commands, and the duly enacted, unrepealed law of the land directs the way. [Applause.]

"From the proclamation, to peace; from Antietam to Appomattox, down a path of gore and glory, the Union soldiery grandly moved, and American statecraft at Washington met the trials and perplexities of that momentous period. With each diplomatic contest, Lincoln broadened and strengthened. With each new victory in the field he endeared himself to the Army. Mothers were comforted at home and mercy prevailed in camp and Cabinet as had never been experienced in the riot of war. Soldiers on bed of pain died blessing him, or, inspired with his hopeful spirit, early convalesced, to return to their posts. [Applause.] The grave problems of finance were met with a genius that startled and astounded the financiers of Europe. And while Jefferson Davis was handicapping and removing his ablest generals to replace them with doubtful experiments, Lincoln was selecting his ablest leaders and aiding them to accomplish their well-planned victories.

"And so after the grim concord of Appomattox, Lincoln stood upon a pedestal above and beyond where statesman ever stood—the incarnation of Americanism—not only the leader of his country back to what it was, but he had led it further to what it should always have been and, please God, ever may be—a constitutional, perpetual Union, with every statement of the Declaration of Independence made a living, pregnant truth. [Applause.]

"Had the Civil War been planned as a great drama, there could have been selected no more fitting tragedy for its finale than the sad and awful ending of Lincoln's life. It shocked the moral sensibility of the world and filled many million hearts with hate for the assassin. But, after all, if we regard as the chief earthly end of man to be a commanding place in history, it may have been better for the historical Lincoln that at the zenith of his renown, standing on the Nebo of his national unification, he was not permitted to partake of the milk and honey of the promised land beyond. He was saved the unpleasant political conditions that followed the close of the war. He died at the summit of the world's good opinion, and upon that summit, among the primates of history, the ages can gaze and fairly judge. [Applause.]

"Booth's bullet had done its fatal work. The kindly eye had closed to look upon a fairer world than ours. The last slow pulsation of life had ceased. The great heart was forever stilled. The mighty form had taken on the final rigor of dissolution, when flashed the genius of Stanton, the great war secretary, who long had yielded a complaining though zealous and faithful obedience to his chief while living, inspired as philosopher and prophet, paid the never surpassed tribute to the dead, 'Now he belongs to the ages.' [Applause.]

"He is with us now. His great memory is pleading for Americanism. His mighty example is conjuring us to stand by the Constitution of the fathers as against a confederation of those whose republicanism has never been tried, or, if tried, might not exhibit devotion to American interests. [Applause.]

"We are closing up, I hope, the greatest war of all time. I would it might be the last. We who gave of our substance and that richer contribution of our sons are becoming impatient that three months have elapsed in debate which seems to show as its most striking result an impudent defiance in a February foe who in November knelt in supplication. I hope our wise commissioners will settle the grim terms of victory with our enemy before we convert our friends into active disputants.

"We ought soon to bring the living soldiers now over there home to waiting families and employment. They were raised to be American soldiers, but not policemen of Continental Europe. [Applause.]

"Our first-born man child lies in the last long sleep over yonder. I want all that remains of him brought to America, to rest under the flag of his country, which he loved and served. He was an American. He believed in protecting all American rights on land and sea. He believed in avenging American wrongs with all our power. But, like his father, he believed in America fighting our own battles and dictating our own terms of settlement, without involving this country in the perplexing problems of the Old World. [Applause.] I do not know what you think of it, but I do not believe in exchanging a controlling interest in a sound, solvent, vigorous Monroe doctrine for a minority interest in a league of nations, whose available assets were insufficient for charter fees and expense of organization, while the liabilities would be measured by the number of our sons and the amount of our national wealth. [Applause.]

"Monuments of marble, shafts of granite, and statues of bronze are and will be raised throughout the land to commemorate Lincoln's name and secure his fame. On these will be traced and carved purest sentiment of poet and the profoundest thought of the sage. But marble will wear and waste under the 'fretting tooth of time.' An earthquake may rend granite shaft and changing seasons may rust and obliterate the statue of bronze. To see Lincoln's final monument you must look past marble wall, granite shaft, and statue of bronze to the temple of our country's wealth, valor, and honor firmly set upon the eternal base of perpetual union and unqualified independence. [Applause.]"

Deficiency Appropriations for Transportation Systems.

EXTENSION OF REMARKS

OF

HON. RICHARD WAYNE PARKER,

OF NEW JERSEY.

IN THE SENATE OF THE UNITED STATES,

Friday, February 21, 1919.

On the bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.

Mr. PARKER of New Jersey. Mr. Speaker, this bill appropriates $750,000,000 in addition to the revolving fund of $500,000,000 provided by the act, altogether $1,250,000,000.

It is estimated that this appropriation will take care of the transportation systems until the end of this calendar year, December 31, 1919. During the year 1918 nearly $200,000,000 ($196,000,000) was spent in dividends that were not earned, but paid over to the railroads as part of the standard return. Nearly $100,000,000 ($91,952,135) is in the hands of various agents for carrying on the operation of the roads. Nearly $350,000,000 has been advanced to various railroads or invested in various equipment—loaned New York, New Haven & Hartford Railroad Co. $51,475,000; inland waterways, $4,361,486; additions and betterments $290,918,283—and at the end of the year there was nearly $250,000,000 ($247,100,000) cash on hand.

This sum is less than the ordinary cash payments of a single month, and it is thought necessary that it should be increased by about $100,000,000, and there are about $650,000,000 ($659,840,000) of necessary improvements and equipment which are expected to be spent during the year 1919.

The $750,000,000 appropriated is expected to be for this equipment and these improvements and to add $100,000,000 to the operating fund of cash.

The sum is stupendous but does not seem to be too large for the necessities of the case. High prices and wages have made railroad business cost so much that it is not sure that it can be done at a profit even with the present increase in rates, especially as the business has fallen off for a time after the stoppage of war activities and during the uncertainty which attends everything during an armistice.

I have voted for this bill. Under the railroad-administration act the railroads can be returned to their owners, as they should be so returned at the earliest possible moment. There is no insurmountable difficulty in doing so, so far as past advances are concerned, as immediate payment would not be required, and the United States under the law and the contracts has a lien for the amounts advanced. The case is different as to the necessary equipment and betterments which have already been ordered and which will be delivered during the year 1919, as well as the other large expenses on capital account expected to be made during that year. The railroads could not finance the payment of this $650,000,000. They have been given no notice so to do, and they must certainly be carried until the Government has issued what will be the last liberty loan in May next. It would break the market for our bonds if we did not do so. This appropriation will carry them to the end of December.

I am one of those who think that that date should terminate railroad operation by the United States. It is said that Congress ought first to pass proper legislation, but it is plain that no such legislation will be passed until the time for the return of the railroads has been definitely fixed. When that is done all parties—the railroads, the administration, the Interstate Commerce Commission, and the Congress—will be eager to settle all matters and adjust them on a proper basis.

This settlement is not so mysterious or difficult as many people would have us believe.

First. The advances which shall have been made for the United States to or for the account of any of the railroads will have to be ascertained and funded, and if no other security can be given the United States can retain the right to retake possession if interest and proper installments of principal are not paid. The whole equipment question will be settled through the medium of equipment trusts. Legislation seems to be already sufficient, as very large powers of adjusting claims are given in the railroad bill. If any other powers are necessary to be given to settle and adjust liens of the Government with the railroads, it can be done by a single clause.

Second. Rates will have to be raised above those which existed before the war, unless prices and wages shall fall to their former level, which is not likely at present. These rates can be and will have to be adjusted by the Interstate Commerce Commission. That commission was shy of any rash haste in raising rates, but now that the increase has been made and tried out by the Government administration of the railroads the commission will have no hesitation in doing what is right to secure proper income to the railroads, more especially as this is necessary for the protection of the Government itself and the return of its advances.

Even with the increased rates our freight business is the cheapest in the whole world.

Third. Water transportation should be allied with the railroads; it never can rival them, because points reached by navigation are not usually the terminal of travel, which must be taken to the door of the manufacturers by railroads. Our present statute which prevents railroads from operating boats is absurd. It might almost be added that the present unit of transportation is the carload. It is admitted that the only style of water navigation which has increased during the last 10 years by leaps and bounds is the car float and the lighter. It may be possible that we shall see whole fleets of car floats plying on the Mississippi and avoiding all cost of maintenance of way, while the cars can be delivered all along the river to the various railroads that wish them. The Cleary bill would provide for all this and is included in the pending river and harbor bill.

Fourth. All railroad terminals should be at the service of each and every railroad on proper tolls and under proper regulations. These can not be prescribed by statute but can be settled without difficulty by the Interstate Commerce Commission in such manner as that no injustice shall be done to the owners of the terminals if power to do so be granted.

Fifth. There is a strong outcry in some quarters for the abolishing of the Sherman Antitrust Law and the establishing of pools in railroad business. If any such measure is to be attempted it should be with deliberation and under the strictest regulations and can well be postponed until after the roads are returned.

Sixth. Federal incorporation of all railroads and Federal regulation not only of interstate commerce but that within the State has been greatly urged, but this also need hardly be made a condition of return of the railroads.

The Congress and the Nation feel that $1,250,000,000 is enough to advance in the experiment of railroad operation. The advance was necessary from causes which were possibly not the fault of railroad management, although much could have been saved for these necessary appropriations to freight service and terminals if there had not been so much lavish expenditure upon passenger service and terminals as well as in the recent wasteful process of scrapping all their old equipment and replacing it by cars which were so heavy as to require new roadbed and bridges and a maintenance which is much more costly than formerly. Men of experience in railroads have for years doubted the expediency of this wholesale change in the operation of the roads.

These changes have, however, now been made, with the aid of the General Government, and in the exigencies of the war they

have been paid for. The Government will be a lenient creditor, though it has not been a good railroad manager or economist, and it is to the advantage of the whole people that a date should be named when the roads shall go back into private hands. The date of peace is in the future, and 21 months after that peace is too far away and too uncertain. The amount that we have appropriated carries us only to December of this year. To wait even six months after that means more appropriations and fixing the time in the middle of a presidential campaign. Any untangling must be done after this Gordian knot has been cut by fixing the date at which the railroads shall be returned at the close of this calendar year, as proposed by an amendment to this bill, which ought to be adopted.

EXTENSION OF REMARKS
OF
HON. JOHN M. C. SMITH,
OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. SMITH of Michigan. Mr. Speaker, under the leave granted me by the House I desire to extend my remarks by submitting for printing in the RECORD a speech delivered by Hon. J. W. FORDNEY before the Michigan Society of New York City at the Waldorf Astoria Hotel on Friday evening, February 21, 1919:

The address is as follows:

ADDRESS BY HON. JOSEPH W. FORDNEY.

I feel highly honored to be invited to speak on this occasion. I am always pleased to meet a gathering of Michigan people. I love my home State and I love her people.

The subject on which I wish to address you, "After the war legislation," permits a wide range and involves many important questions of vital interest to our people at this particular time, among the most important of which are Government finances, the railroad problem, the merchant marine, Government control over many industries, and the Army and Navy.

Generally I believe in "Government hands off of business." Government control means political interference and political pull; control, not by the great captains of industry, but by the policical office seeker—which does not spell industrial success.

When I speak of politicians I do not mean a man holding an elective office. I mean those seeking political appointment—soft snaps and good pay. On the contrary, I find men in Congress to be generally of the highest type of intelligence and character—honorable men.

Imagine a politician of the former type, selected by the President of the United States, directing the management of the United States Steel Co., or the Bethlehem Steel Co., or any other of the large and varied industries. Why, during the war the politicians failed and the President was forced to call upon experienced men to direct large affairs at a salary of $1 a year. The aircraft construction was a scandal until a practical business man was called to the helm. Ship construction lagged and bade fair to be a failure until a man of business experience was put in control.

Our merchant marine under Government control must and will prove a financial failure; it can not be otherwise, operated under existing marine laws.

The best evidence of this assertain may be proven by an examination of the recent Government control of the railroads and steamship transportation lines—a glaring and signal failure.

Government control threatens us with dangerous political machinery which would endanger the very foundation of our governmental institutions. Weak politicians would yield to the demands of socialism and anarchy, with the hope of gaining that vote. Already too much catering to those elements by office seekers has created a situation in our midst that is deplorable. The time has arrived when the strong and firm hand of the Government must be felt by the classes I. W. W. and anarchy.

The most gratifying news to the law-abiding citizens of the United States flashed over the wires for many weeks was that of recent date to the effect that 51 I. W. W.'s had arrived at Ellis Island from Seattle, Wash., for deportation. Let the good work go on, and we will soon have peace and happiness in our land. The English-speaking nations will not tolerate such unlawful organizations, and the red flag must have no place in this law-abiding Republic.

These are times when words from the wisest among us are needed; the careless word should not be spoken. More than ever before in my life I long for the power to speak words of wisdom.

The people throughout the entire world are giving more sober thought and consideration to the duties of citizenship than perhaps at any other period of the world's history. They are studying conditions in local, State, and National Government. Uppermost in their minds is the desire to better conditions throughout the world.

What can we do to better conditions? The power and the responsibility rest with the people. Their duty they should know; and knowing, they should act.

Public opinion creates free government and upholds it for good or for bad.

Public opinion, no matter how good, if indifferent, has but little force.

Public opinion, to obtain real reforms and maintain them, must not be spasmodic; it must be vigilant, vigorous, and constant—as sleepless in its activities as the enemy of justice and right is always known to be.

Execution of public affairs will generally follow public judgment. The public should select men of ability and character to public office; they are the people's servants, not dictators. They must obey the people's commands.

Lincoln, on his journey to Washington in 1861, speaking at Indianapolis, Ind., said:

> In all the trying places in which I may be placed—and doubtless I will be placed in many such—my reliance will be upon you, the people of the United States. I wish you to remember now and forever that it is your business, not mine alone.

As a public servant, did any man ever more clearly speak the truth?

Interest in public affairs, State and National, should ever be present in the minds of the people. It is their duty; it is honorable. No citizen is too great and none too humble to be exempt from such duties.

You can not hope to improve public affairs by withholding your own good offices. If you would purify our political atmosphere and political life, you must lend your own energy, virtue, intelligence, and honesty to do it.

The business men of this country have a great responsibility devolving upon them. It is no easy task at this time to keep the wheels of industry moving. Idle mills mean idle capital, and idle capital means idle men, and the poorest asset of a nation is an idle man.

In the whole world the thought that the employer is the enemy of the laborer has become too common. The agitator who would have the laborer believe his employer is his enemy is the friend of neither, but, on the contrary, is the enemy of both and deserves suppression.

One of the greatest favors that one man can extend to another is to furnish him with employment at remunerative wages that he may provide for himself and his dear ones a comfortable home.

Factories are always anxious to run. To close down means loss of money, depreciation of machinery and all property connected with the institution, followed by impoverishment to the owner, loss to the community in which the factory is located, and destitution to those who were employed. The owner is anxious to have the factory run; he wants his investment to earn him something. If he can not run at a profit, he is bound to close down.

Production means consumption. The capacity for consumption of an idle man is not so great as that of the man who is employed.

Consumption of American-made products means employment for American laboring men. The best market in the world for the products of the United States is with our own people.

Our annual sales abroad, during normal times, are less than 10 per cent of our total production. Therefore to throw down the bars and invite in the products of the cheap labor of the world, while we chase rainbows around the globe to find a dumping ground for a small percentage of our output, and at the same time neglect our best market, is, in my opinion, poor business judgment. We want a foreign market for our surplus, but we do not want it at the cost of the loss of our home market.

Think of the vast amount of capital invested in this country and the effort necessary to keep it going. Capital is entitled to fair treatment; when unfairly treated labor suffers most. When capital is idle, both capital and labor draw upon their own resources—each is unprofitable when the other is unemployed.

I am sure the people are surprised when they learn that our manufactured products exceed annually $20,000,000,000 in value

and our agricultural products $12,000,000,000—I speak of normal times and normal prices. In 1910 the wealth of this country was estimated to be $187,500,000,000, and it is estimated to be at the present time $265,000,000,000—equal to the combined wealth of Great Britain, Germany, France, and Russia.

If you will divide by 24 our population as shown by the census of 1910, you will have the population of 120 years prior to that time or that as shown by the census of 1790. If our population continues to increase at the rate it has in the last 120 years, 100 years hence we will have over 2,000,000,000 people. You may ask, Where will we put them? My answer is that we will not then have as dense population as did Belgium in 1915, prior to the war—652 persons per square mile. Our population now is about 30 people per square mile.

The matter of Government finances at present is one of much concern. Our expenditures for the past three years have been equal to our total expenditures from the establishment of the United States down to three years ago.

Our outstanding Government obligations—bonds, certificates of indebtedness, and war savings stamps—on January 1 were $21,000,000,000, and we are adding to that sum daily through our bonds authorized but not yet disposed of, of which there are over $5,000,000,000. The administration is asked for an additional authorization of $2,000,000,000 certificates of indebtedness and $7,000,000,000 noncirculatting Treasury notes, to run from one to five years. This request astounds the people.

If these bonds are disposed of our annual interest account will exceed $1,500,000,000.

The rate of interest future bonds are to bear demands the careful consideration of our wisest statesmen. To sell Government bonds now, bearing a higher rate of interest, would undoubtedly greatly depreciate the value of outstanding bonds and would be unjust to the present holders of bonds.

I believe a tax-free bond, bearing interest at 3½ per cent, would sell at par, while a taxable bond, bearing interest at 4½ per cent, would not find ready purchasers. It appears to me it would be wise to give future purchasers the option as to a tax-free bond at a low rate of interest or a taxable bond at a higher rate. Of course, the small purchaser will choose the high-rate bonds, as holders of bonds to an amount not exceeding $5,000 are not taxed on their interest income.

There is one matter on which we are all agreed: We must not allow our credit to become tarnished.

The outflow of gold will not disturb us if the inflow is great enough. The outgo is not serious if the income exceeds it. We must preserve a balance of trade in our favor to insure an inflow of gold.

False theories can not long blind the eyes of the people in the face of cold facts.

Business experience is the best light to guide us in the future pathway of progress and prosperity.

We can not profit by quarreling over the past; we must look to the future. Whatever differences we may have had we must now agree that the situation is such as to require the highest sagacity in statesmanship. We must not permit the credit and the honesty of our Government to be questioned. We must and will provide, somehow, in some sensible way, the collection by taxation of a sum of money to meet the needs of the Government to pay our annual expenditures—that being done, we have done well.

Our Army and our Navy command our wisest counsels. I do not favor a large standing army. The expense would be very great on the taxpayers.

To demand the largest navy in the world, while in the same breath shouting for a league of nations solely for the purpose of the prevention of wars, is, in my judgment, the rankest inconsistency. It seems to me that we can not need both for the security of the Nation.

The demand for Government ownership of railroads comes from the thoughtless, the reckless, and the selfish classes of people. No effort of that kind has ever met with financial success by the people of any country in the world; on the contrary it has always proven to be a financial loss. I challenge successful contradiction.

Our freight rates per ton mile, prior to the war, were one-half those of any other nation in the world (Japan excepted), while our railroad wage scale was double that of any other nation in the world (Canada excepted), and Canada's railroad wage scale was below, and Japan's freight rates 25 per cent above ours. The taxpayers are now called upon to pay a loss for last year of over $755,000,000 for the folly of the Government of taking over the railroads, while, at the same time, they were compelled to pay extra passenger fare and extra freight to an amount exceeding that sum.

Does the wildest imagination of any reckless brain believe that one man, a director general, seated at Washington, D. C., inexperienced in railroading, no matter how competent he may be in other things, can as efficiently and economically manage the 750 railway systems in the United States as can the 750 well-trained, thoroughly experienced railroad managers who are quite familiar with all the needs of the people in their particular vicinities? I believe not.

Two million railroad employees under Government control. Oh, what a political machine! Unscrupulous politicians would try to organize, under Government ownership or Government control.

I appeal to you, gentlemen, to use your influence and exert your energy against such tendencies in our legislative bodies.

The present Congress has accomplished much in the past two years—most important matters have occupied its attention. A vast amount of war measures has been enacted, both political parties acting as one, no political lines being drawn in all war legislation. The United States Treasury has been provided with almost countless billions, the taxpayers making but little complaint. The people as a whole have come forward and purchased Government bonds with such freedom and patriotism that the like was never exhibited before by any people on earth.

In this war $180,000,000,000 of the world's wealth has been blown away. Suffering and bloodshed have been beyond comprehension, and more than 10,000,000 souls have perished. Oh, what a sacrifice and what a crime! God grant we do not lose by negotiation what we have won on the battle field.

EXTENSION OF REMARKS

OF

HON. ALLEN T. TREADWAY,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. TREADWAY. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an address delivered by my colleague the gentleman from Connecticut [Mr. TILSON] in Boston on Saturday, February 22, before the Ancient and Honorable Artillery Company of Massachusetts.

The address is as follows:

ADDRESS OF MR. TILSON.

Mr. TILSON. Mr. Toastmaster, your excellency Gov. Coolidge, and members of the Ancient and Honorable Artillery Company, every truly resourceful speaker, whether of the platform or after-dinner variety, ought to be able to connect himself either by affinity or consanguinity with the locality in which he speaks. I can only approximate it in this instance. Some 8 or 10 generations back one of my paternal ancestors lived down Cape Cod way, at a little place called Plympton. Two or three generations later my branch of the family wandered off south and, when I was born, lived in Tennessee. I started back toward Massachusetts, got as far as Connecticut, and stopped. This is as close as I can come to making a connection.

It has long been one of the ambitions of my life to attend a gala occasion of the Ancient and Honorable Artillery Company of Boston. That ambition has been whetted rather than dulled as I have observed through so many years how you have been "advertised by your loving friends," the funny papers, and the New York Sun. When I saw the country headed for prohibition and a perpetual drought decreed both by presidential order and constitutional amendment I had almost given up hope, when out of a clear sky came the invitation to be with you to-day. Imagine my appreciation. The very last chance before July 1. By reason of a four months' sojourn in Arizona—of course, the selection of the place was not voluntary; I was in the Army—I discovered that the rarest plants do not always thrive in arid soil. However, you are of hardy growth, and I hope to see you survive the drought of the coming years just as you have so staunchly withstood the flood of the years that are past.

In visiting you I confess to one surprise, and it was a pleasant one. I did not anticipate seeing a lot of immature boys, but you are an aggregation of even more mature young men than I had expected to find. It is delightful to see so fine a group of men carrying the exuberance of youth almost to middle life.

As an organization, continuous and self-perpetuating, you are older than the Nation itself. You were present at its birth, did notable service in bringing it into existence, attended it through its perilous youth, assisted manfully in bringing it through the period of adolescence, and through its entire life of almost a century and a half up to the present hour, in peace and in war, have played a worthy part in its proud history. I feel, therefore, that I can speak to you as the present embodiment of all the best traditions of your honored past. You stand buttressed by the accomplishments of the days that are gone, but with eyes straight ahead, ready, I fancy, to move forward to the attack of the serious problems just ahead of you. One of those problems is a permanent, adequate plan of national defense, that will not crush us by its own weight in peace time and yet reasonably insure us against being crushed in time of war. It is not an easy problem, but is one of the most important that must be met and solved by free peoples.

Just at present the topic uppermost in most minds is a "league of nations," although talk about it has been more or less restrained, because the teacher has stamped his pedagogic foot and said, "Silence." At the risk of being kept after school for talking out loud, I say that I am very much in favor of a league, or society, or whatever you may call it, of nations; in fact, of any sensible arrangement among nations that will cause them to pause long enough to visualize the consequences before plunging the world into the horrors of war. I say "a" league of nations, rather than "the" league of nations, for, until the President returns to interpret it, and take the padlock off our lips so that it may be discussed, we shall not know what "the" league is.

Of course, it must be understood that any league that we may enter will not and can not take away any of the attributes of our sovereignty as a Nation or confer upon any council the power to declare war for us, which by our Constitution is lodged in the Representatives of the people in Congress.

I confidently believe that some such league, possibly the very league now proposed, may become an instrument of great good. At any rate we shall be blameworthy if we do not avail ourselves of every means that will tend to lessen the danger of the recurrence of war. Instead of becoming an entangling alliance, such as Washington advised against, it should aid in preventing the necessity for such entanglement.

In spite, however, of any league that may be formed or any engagements that may be entered into, unless we would disregard the most obvious lessons of all human history, we must continue to face the problem of national defense. National defense is like individual self-defense. It is the plain duty and necessity of nations, as it is of individuals from the lowest to the highest order of creation. In the case of individuals it transforms what would otherwise be the darkest of crimes, murder, into a sacred duty. In the case of nations it makes even human slaughter righteous.

No nation is worthy the name that is not willing to defend itself against an aggressor, and no nation is wise that is not reasonably ready to defend itself. Belgium was ground under the heel of a military giant, but Belgium emerges with self-respect and the respect of the world, because she was willing to fight to the bitter end. Belgium was only partly prepared and suffered accordingly. Great Britain had neglected this primary duty as applied to her land forces, and in consequence sacrificed her so-called "contemptible army" of 160,000 men and almost lost the war.

In our country we have always been inadequately prepared. In the war just passing we have paid dearly in lives and treasure for our lack of reasonable foresight. No one will ever know how much unnecessary suffering was endured or how many unnecessary lives were lost in our first regular divisions to go overseas, and in our own Yankee division, the Twenty-sixth, and in other units, by reason of lack of preparation. I hope you will agree with me that never again in the annals of our Nation's history shall it be permitted to come to pass that our property, our lives, our liberty, and our very existence as a Nation shall be dependent upon the naval force of another nation for protection.

The fact can not be successfully denied that when we went into this war our condition was such that if the navies and merchant marine of Great Britain and France had been by the fortunes of war suddenly placed at the disposal of Germany, and the armies of those countries out of the way, Germany could have landed an army on American soil and marched it to Chicago without serious opposition. Untrained men without arms can not stand before an army properly armed and disciplined, nor can brave and well-disciplined men not adequately armed prevail against such an army. We have never had sufficient rifles, machine guns, cannon, and ammunition, nor the facilities for quickly providing them, to say nothing of the newer weapons of warfare, to repel an invasion by any power controlling the seas. I hope that never again will we lull ourselves to sleep in the false security provided by mere agreements, however binding in form, or under the protecting care of a foreign though friendly navy. Nothing short of reasonably adequate preparation to defend ourselves at all times should ever again be permitted.

Prophets and dreamers of all ages have foretold the time when war shall cease. Perhaps no passage in the entire Bible is better known than that in Isaiah, repeated in Micah, foretelling a day when men "shall beat their swords into plowshares and their spears into pruning hooks." Everybody remembers and quotes this beautiful Scripture.

Not so many recall that the Prophet Joel, whose commission as prophet is just as regular and signed by the same authority as that of Isaiah and Micah, brought in a minority report on the subject in which he says: "Prepare war. Wake up the mighty men. Beat your plowshares into swords and your pruning hooks into spears." I have never been able to understand why Isaiah's prophecy should pass at its face value, while Joel's words are scarcely remembered, unless it is because Isaiah's rank was a major of prophecy while Joel was probably only a lieutenant.

I shall leave the subject of prophecy with this one additional observation: If I remember my Bible history aright, Isaiah and Micah both lived in the time of Hezekiah, King of Judah. Their prophetic dream unfortunately became in effect the governmental policy of Judah. Captivity in Babylon was the result. Joel lived after the exile. Those who returned from the captivity were a sadder but wiser people. They were subjects of the Persian Empire and paid tribute to a foreign master. Gone was the glory of Israel; gone her name and place among the nations; gone the liberties of her people. In the light of all that had transpired, if Joel had preached the pacifist doctrine of Isaiah and Micah he would have been as popular in Judea as William Hohenzollern now is in the entente countries.

If I understand correctly the message of Joel, it should read something like this: "Fellow Israelites, you have seen what comes of having all plowshares and pruning hooks and no swords and spears. If Israel would become and remain an independent, self-reliant nation she must have more swords and spears, even if we have to go shy on agricultural implements."

You do well to celebrate the birthday of the immortal Washington. It is well for us to turn occasionally to the teachings of that staunch patriot for advice. The essence of the problem in Washington's day was much the same as it had been in the history of all preceding nations from the earliest recorded time, and his advice, so sound at the time it was given, is just as good to-day. In that remarkable document known as the Farewell Address he admonishes us to "take care always to keep ourselves by suitable establishments on a respectable defensive posture." In another connection he says, "avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it." Prophetic words! In a speech to Congress on January 8, 1790, he said:

> A free people not only ought to be armed but disciplined, and their safety and interests require that they should promote such manufactories as tend to render them independent of others for essential, especially military, supplies.

The central thought running through much of his advice is that peace is the best time to make preparations for war.

Unfortunately, we did not follow Washington's advice. No war that has occurred in our entire history has found us "in a reasonably defensive posture," and the unnecessary sacrifices in all these wars have been due to our lack of wisdom in not following his sage advice.

It is too well known that we were sadly lacking in preparation for our part in the great world conflict which, we hope, has ended. At first attention was directed almost exclusively to the question of training our man power. Under the wise provisions of the selective-service act it soon became apparent that there would be no difficulty in securing the necessary men. The training of the men was found to be a less difficult job than had been anticipated. By intensive training, three months were found to be sufficient to make creditable soldiers, and certainly six months would suffice to make excellent soldiers.

I believe that the lesson of this war, so far as man power is concerned, is that it is not wise to train only a few men as professional soldiers and leave all the remaining man power of the country entirely untrained. In my opinion the most obvious lesson to be drawn from the war as related to man power is that our entire young manhood ought to be trained in the rudiments of military discipline, and that this should be done under a system of universal military training. Such a

system will be highly beneficial physically, mentally, and morally, will teach a much-needed lesson of discipline and proper regard for authority, and tend to impress our young manhood with the proper sense of the obligations of citizenship.

The one thing that caused us the greatest trouble throughout the war was not the personnel of an army, but the matériel with which an army must fight. Our lack in this respect was a startling revelation. Few people knew how short we were of arms, ammunition, and military supplies generally until we were actually involved in the war. Scarcely anyone seemed to realize the difficulties in the way or the time required for producing these things. It was along this particular line that my principal work during the war lay.

Living in the midst of an industrial beehive, representing in Congress an industrial people, it was my duty, as it was my pleasure, to know something about production as applied to manufacturing. Being a practical student of military affairs, I applied myself long before we entered the war to a study of the problems of producing war materials. I perceived what would be our situation in case we ever became involved in war. I thought I saw the remedy and believed that it would meet the situation if vigorously applied in time of peace. I stood upon the housetop and proclaimed my message. Few heard it, and very little was done. The war came to us; we were not ready, and we have paid the price, at least we have paid in part and owe a huge balance.

I do not say it by way of criticizing anybody and do not intend to infer that anyone else could have done the job better, but the truth must be told, so that in future years we may not be misled and may not then act upon misinformation.

It is well known that we did not get a single American-made pursuit airplane to the fighting front. A few hundred De Haviland 4 day-bombing planes reached the war zone, and some of them actually went over the German lines. Our brave flyers fought in such French airplanes as we could get.

Our artillery ordnance program had scarcely begun to materialize when the war ended. We had almost none of our own heavy guns and only a few kinds of our own ammunition. We were practically without tanks, except as we procured them from our friends. Our machine gunners mostly used the French Hotchkiss and Chaucat guns, with French ammunition, until within two months of the end, and some of the divisions used them to the day of the armistice.

Our infantry carried rifles made in the United States of America, but more than half of them were the British Enfield modified and made with the tools, dies, gauges, and fixtures ordered by and made for the British Government.

In a nutshell, this is what the greatest manufacturing Nation on earth did toward military preparation during 19 months of actual war at an expense that is staggering, and will continue to stagger our children's children. This is what we were able to do to back up our brave men. No praise is too high for their heroic deeds done under the most discouraging conditions, but we should not forget the lessons their sacrifices have taught.

The fact that we played an honorable, even a decisive, part in ending victoriously the great struggle may serve to blind the unthinking or undiscriminating. I fear that we are in danger of permitting ourselves to return to the same old fool's paradise in which we have lived so long.

A man who permits himself to reason that because we went into a war unprepared and came out victorious, therefore we can safely dispense with all preparation, is on a par with that loyal Democrat whom we last heard of in 1908. He said he was going to vote for Mr. Bryan because on both the other occasions when he had voted for him the country had good times afterwards.

I appeal to you as patriotic Americans to help keep us from making the mistake of suffering a relapse. If we do, even the blood-washed stones of France will cry out against us.

I envy the man who through the next 10 years has the power and privilege of advising and directing the military program of this country. Such a man will have the opportunity to earn a place for himself in the list of those who have done useful things for his country. He must not be a rubber stamp for a narrow military caste, nor must he be susceptible to the influence of those who would throw off all military restraint and discipline. If he is able and is permitted to rise to his opportunity, he will strive to train our young manhood to be ready to do their part in maintaining and defending, with their blood if need be, the rights and institutions of their country. He will plan scientifically and on a broad scale during the years of peace to quickly mobilize and utilize, in case of need, the great industrial resources of the Nation.

With such a plan of national defense worked out in concrete and practical form, we can face the future unafraid, self-reliant, independent as the men of '76 fought that we might be. In such a posture I can see the long years stretching ahead of us filled with the happy results of a peace that is worthy of a truly great people.

The deeds of the men of 1776, of 1812, of 1861, of 1898, and of 1918 made such a peace possible. Let us not betray the trust or misuse the heritage they have left us.

A Visit to the Fronts.

EXTENSION OF REMARKS

OF

HON. JAMES H. MAYS.

OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. MAYS. Mr. Speaker, after considering war measures for 18 months it was natural that one should want to study war conditions at close range. Personally it had been my desire to go over the scenes of conflict and observe the extent of our preparations. Therefore when Congress recessed early in August a party of Members were advised by the Secretary of War that the authorities would be pleased to have us visit the war zone at the instance and under the authority of the department.

We took personal letters from the Secretary of War to Gen. Pershing and others, from the Secretary of the Navy to Admirals Sims and Wilson, from the Secretary of State to Ambassadors Page in London, Sharp in Paris, Page in Rome, and other diplomatic representatives of the United States.

We left New York on one of the fastest ships. The vessel carried 7,000 troops, several hundred officers, over 200 professional nurses, and a crew of 1,000 men. I shall always have in mind the picture of the vast throng of troops as they danced and sang when certain that the great ship was off. These boys had chafed and fretted from long, tedious delay; they were glad at last to get at their country's business. They realized that a great, heroic task awaited them; that their brothers in arms who had gone before them needed their assistance.

As the ship with the convoy of destroyers, airplanes, and dirigible balloons swept down the harbor many thousands of people on shore and in crowded ferryboats cheered and waved good-byes, military bands played, and the boys sang, "Send the word over there, the Yanks are coming."

I had especially wanted to see the actual process of transporting our troops across such a wide expanse of water. We mingled with the soldiers and observed the marvelous spirit which prevailed. If any were reluctant to go, they did not show it.

It was interesting to observe the care exercised by the Navy Department to prevent loss by submarine attack. Great airplanes, armed with depth bombs and machine guns, searched the waters ahead; American destroyers, fully equipped with guns and depth bombs, patrolled the surface of the sea at great speed. We were told that this ship on a recent trip had encountered two submarines at daybreak, had rammed one, cutting it in two, and destroyed the other with gunfire, taking 31 prisoners.

The first day out was quiet and beautiful; the next day was stormy. It had been very hot in New York before we left, but as we approached the banks of Newfoundland and the icebergs farther north it grew very cold. We were advised that this ship took the most northerly course because of reports that submarines were in waiting.

Sunday was beautiful; services were held on board, Army chaplains discoursing to the troops.

The ship was extremely fast and no longer seemed to need any convoy protection, except its own guns, of which there were six, four forward and two aft. There was constant watch for submarines from crow's nest and towers. At dusk all hands were sent to staterooms and bunks, no lights were permitted, not even the smoking of a cigar or cigarette. Disobedience of this rule resulted in imprisonment.

On Monday in mid-ocean occurred an interesting target practice, with all six guns in action, trained upon objects thrown from the ship while vessels circled at a distance of 1,000 yards.

Tuesday the way was rough in response to a northeast gale; even some of the Congressmen violated the injunction, "Don't

waste food." Soldiers generally were seasick. The regulation drills necessary to preserve an orderly abandonment of the ship in case of accident were held, nevertheless; there were several of these each day and night. Everyone knew his place and how to get there, and it was remarkable with what speed the large body of troops, crew, and passengers were handled. Fire drills were also held; alarms were given and no one knew whether or not there was real trouble. One sick soldier on being told that the ship was on fire and he must hurry to his place, said, "Let me burn with the ship." Even the nurses, who had all sorts of antidotes for seasickness, could only muster 30 per cent strong at their meals during two stormy days and nights.

On Wednesday, however, we had a very calm and beautiful day and everything was changed. Soldier bands played, the troops and nurses sang their war songs, and officers and nurses danced on the upper decks. One member of the ship's crew told me that it was interesting to note the difference in the character of the songs sung by the nurses on this ship and those on the trip before. Then they were singing, "Nearer, My God, to Thee"; "Lead Kindly Light"; "Throw Out the Life Line." Now they sang, "If you can fight like you can love, what a soldier you will be." The ship's crew were English.

We were now approaching the European danger zone and expected soon to see the convoy of American destroyers. The captain told us that these swift, efficient vessels were the terror of the submarines and had rendered remarkable service.

My colleague and I mingled with the troops and ran onto 15 Utah boys. We asked them to come to our stateroom and we talked to them, getting the names of their folks, to whom we sent letters telling them we had seen the boys.

The ship pursued a zigzag course in order to frustrate the aim of the U-boats. Reports were received that submarines had been advised of our general course and were lurking in our pathway. These reports came to us by wireless and caused a digression in our course. An unusual alarm occurred late at night, accompanied by shooting and bursting of depth bombs. We were hoping that a submarine had been destroyed, and some reports to this effect were circulated, which we could not confirm. There was but little confusion, even in the darkened ship; everbody moved as he had been drilled.

An Army officer aboard was making his third effort to get over, his ship having been torpedoed twice upon former journeys.

Great credit is due to our Navy for its wonderful work in transporting troops abroad. In cooperation with the British fleet they were able to send the first million troops across 3,000 miles of ocean, infested with the ruthless submarine, with a loss of less than 200 men. The second million had gone forward without the loss of a single soul. This, in spite of the positive announcement of the Imperial German Government that no transport of soldiers or supplies would be permitted to land in France. Not only has this enormous number of troops been transported, but every item of supply, from socks to helmet, and every portion of the food, and all guns and ammunition have also gone forward in such quantities that no army in the world's history has been so well fed and clothed and so completely supplied.

We can get some idea of the enormous task when we know that for every soldier in France there must go forward each day 50 pounds per man of supplies; and we saw no troops that had ever missed a meal, except some of those who were so rapidly chasing the Germans that the supplies could not catch up with them in time. Everyone in Europe, including Army officers, prime ministers, and kings, marveled at these tremendous accomplishments.

Thirty hours out from port we were awakened at early morning by stewards announcing that four American destroyers were alongside; so far since the first day out we had depended upon our speed and guns.

The sight of those four well-equipped destroyers floating the Star-Spangled Banner was certainly an inspiration. We were impressed by the fact that in spite of our war activities the sea was not congested with traffic; we saw only two or three ships during the entire voyage till we reached the danger zone; we then passed a fleet of some 20 American ships carrying 60,000 men; these were accompanied all the way across by a dozen American destroyers, and through the danger zone were several hydroplanes, dirigibles, and large sausage balloons used for observation purposes. It would have been a venturesome submarine, indeed, to show even the top of a periscope under such circumstances. We passed near the spot where the *Lusitania* was sunk, and not far from the place where the *Justitia* went down.

At this point reports came that a submarine had been sighted. Several destroyers rushed forward dropping depth bombs, which blew great volumes of water high in the air. We did not know whether a submarine was destroyed, but had hopes.

Under these happy circumstances we landed at 11.15 a. m. at Southampton, England. The next day we called at the American Embassy in London to plan our program in that country, intending to spend three days studying war conditions and then going on to France. Our ambassador and military authorities, however, urged us to spend at least a week in England. We therefore concluded to visit first the soldiers' rest camps, where our boys were stationed for a few days before being taken to the front; second, the German prison camp; third, rehabilitation camps; fourth, our own fleet and the grand fleet of England, also the aviation fields and factories; fifth, Parliament and some English statesmen.

We called upon Admiral Sims in London, delivering to him the personal letters from Secretary Daniels. He made a profound impression upon our committee, and we spent a most profitable and instructive half hour with him. The admiral discussed the campaign against the submarine. He told us there were 40,000 allied craft of various kinds engaged in war work, all protected by the American and British fleets. He spoke of the fatal calamity which would promptly befall the allied cause in case of the fleets' destruction. He said that German cruisers would promptly clear the sea of all transports, destroying everything afloat, and starve the men we already had in France. The admiral gave us a summary of the American naval operations. He said that through the use of the wireless they kept track of the movements of every submarine; surprised us by saying, "We know just now how many German submarines are operating and approximately where they are." He said our destroyers were most efficient, but more should be hurried to him. He told us that Germany was winning the war when we came into it through use of the submarines and operations of its army. He said they were destroying 1,000,000 tons of shipping per month, while only 300,000 tons were being constructed. At this rate, from a total of 16,000,000 tons, it was easy to calculate the end of the war in Germany's favor. That Government was therefore holding the Hindenburg line with complacency, awaiting the starvation and finish of the allies. We had so pursued the submarine and so increased our ship production that the monthly average loss had been reduced to 200,000 tons and the monthly production increased to 500,000. He could now announce, therefore, that Germany's ruthless submarine campaign was a failure. He said, realizing this, the Germans had launched their great army upon the March and succeeding offensives, determined to win upon the land the victory so narrowly lost upon the sea; and the admiral remarked, "They came perilously near succeeding."

He advised us, by all means, to see the grand fleet and give three days to the task; also stated we should see the great aircraft factories and fields.

At the risk of being tedious I shall discuss these war activities in the proper sequence, as we inspected them.

After calling upon the ambassador and naval authorities we were, by the help of our military department, able to visit various soldier rest camps, where the troops were given a few days recreation both before and after going to the trenches. We watched them play and drill, and were impressed by their clean, healthful appearance. They all appeared to be gentlemen as well as soldiers, and have won the hearts of the cold British people.

We next visited the German prison camp. These various trips gave us interesting rides through rural England. The British are keeping the German prisoners in a series of camps of which we visited the parent camp. The officer in charge had been informed of our visit and showed us every courtesy. He had under his jurisdiction 146 camps located in various parts of the country, convenient to labor at which the prisoners were employed. They were hired out to all sorts of occupations, principally farming. Prisoners were well treated and paid for their time. They seemed to have no desire to leave, and no single prisoner from the thousands has ever escaped. It was common to see a boy of 12 or an old man bringing in from their work in the fields a group of a dozen husky prisoners. We were permitted to talk with some of the prisoners who could speak English. First, we interviewed a bright university student of 22, who had been four years an aviator; said he learned English at the university. He wore numerous medals, including the iron cross, conferred, he said, by the Emperor for bringing down 15 allied planes. He had been shot down behind the English lines; had been well treated since. He thought Germany would win in a year more; said he had read of the arrival of vast numbers of American troops; said that Germany by great industry and economy would hold out to the end; that the Rus-

sian breakdown favored Germany, but expected no more fighting on either side from the Russians; said he read the London Times and one German paper.

Another with whom we talked was a young man of 18, who had volunteered at 14; was wounded in battle and captured; had been a machine-gun operator covering advances and retreats of armies till killed or captured; was able to kill many allies before surrendering and felt proud of the fact; had no complaint except the lack of football field at the camp.

Another had been a student of dentistry when war began; was captured at the great British drive at Cambrai; was giving his services to fellow prisoners; had no complaints.

We talked to others with the same general results. The interpreter told us the late prisoners were not so sure of victory as those captured earlier in the war, generally believing now that it would be peace by compromise agreement. They said it was absurd to think that Germany could be made to pay damages, but might be persuaded to waive claim for indemnities of allies. Many thought, however, that America would be made to pay very heavily.

We devoted odd times between these trips visiting parts of historic England, such as Parliament, Tower of London, Westminster Abbey, and the like; but of these things I will not have time to speak, as we must be confined to war activities and conditions.

On Monday we visited the rehabilitation hospitals and camps. They have these for the blind and others for those crippled. Their work is most wonderful in its results. Blind soldiers are taught useful, profitable employment. It was a great surprise to see soldiers with a leg gone walking, running, and working so naturally that you could hardly observe their crippled condition. With artificial hands they were doing many useful things. One young man wrote his name and address for me with his artificial hand with a better style than I can employ, which is not saying much for his penmanship.

Our Government has enacted legislation providing for the best of such training, and I was especially interested in this activity.

Monday we left, at 10.15 p. m., for north of Scotland for a visit to the grand fleet. We were met at the boat by the admiral's yacht and taken to the flagship of our own squadron. Our warships were lined up with the British fleet in battle array under Admiral Rodman. We inspected our flagship, then went onto the flagship of the English fleet, then traversed the entire line of battle, which was the most imposing spectacle of sea power ever assembled in the world's history. It would be impossible to overstate the significance of the naval supremacy in this world war. We asked the admirals of both fleets if a battle were expected; were told that there were as yet no military reasons for such a battle, but at any time there might develop dynastic reasons, and they believed before the Hohenzollern family gave up their hold on the German people a great naval battle would have to be fought. Every officer and man stood on his toes hoping for a battle. Some 30 days before the German fleet had ventured far out on the North Sea and the British and American fleets were at once after them; so sure were they that the Germans were caught that congratulations were passed from ship to ship that the day had at last arrived. However, through fog and smoke the Germans retreated behind the guns of Heligoland and into the Kiel Canal.

In returning, the battle line of the two fleets, with ships 500 yards apart, extended over a distance of 76 miles, with 240 fighting craft in line. We saw the ships wounded in the great battle off the Jutlands; the crew were saving the armor-piercing shells which came through the ships as relics.

On this trip we saw many other things of interest, but this statement must be confined to matters of military interest.

Our inspection of England's activities was over, except to visit the great aviation fields and factories. We saw aerodromes where machines were being manufactured and tried out, of all sizes and types from the pursuit machine, the combat plane, to the great bombing machines of the Handley-Paige type. Each member of our party was first given a ride over the country and some 8,000 feet over London in a combat plane equipped with a Liberty motor and then taken along for a ride in the Handley-Paige. The specific dimensions of these colossal planes were kept secret from the enemy, but, unfortunately, one of them was brought down within the German lines. These machines weigh when loaded 32,000 pounds—16 tons—carrying one-half that weight of 8 tons of net load, including 6,000 pounds of explosives, and can travel with such load with full equipment for 1,500 miles without a stop, at the rate of 125 miles per hour. The wings extend with a sweep of 130 feet. Each machine is equipped with four 390-horsepower Liberty motors, making an aggregate horsepower for each machine of over 1,500. Rather heavy artillery is carried both in front and rear. These planes, Handley-Paige himself told us, will be able to bomb Berlin and return and even to cross the Atlantic within a very few months.

It was an indescribable sensation to fly so high over the city. We all voted the day the most unique of our experience so far, though we were to have even more exciting and thrilling experiences on the battle fronts.

We were now most anxious to get to France. I was personally especially anxious, as two of my boys, and possibly three, were over there somewhere.

We landed at Paris Saturday, the 24th. I went to military headquarters and ascertained the location of one of my boys and spent Sunday with him; he had been in France over a year and was able to secure leave to accompany our party on the trip to the various fronts as a sort of guide and interpreter.

On Monday, the 26th, we visited Gen. Pershing's headquarters. We carried a letter to him from the Secretary of War. We learned of our organization and systems of supply. We took dinner at the general's chateau, kindly furnished him by a wealthy Frenchman, and heard many interesting stories of the conflict.

The next day we visited schools for various activities, including the gas school, the development of gas masks, rifle shooting, machine-gun practice, and the like. Many experts in the allied armies told us that our superiority in rifle shooting was a wonderfully important factor in our recent victories, such as Chateau-Thierry.

An interesting thing to see were the pigeon farms. At one of these they produced 10,000 pigeons per month, all of which were used to carry messages from the front lines to the headquarters in the rear.

We visited great supply bases, saw the immenseness of the tasks accomplished, saw whole trains speeding on railroads we had built, carrying supplies from the ports of entry to the front; saw thousands of motor trucks from America in full speed, carrying troops in preparation for the great St. Mihiel drive. We saw guns of the very largest type en route for positions from which they could bombard the German defenses at Metz; saw miles of warehouses, hundreds of miles of railroad yards, great docks at the ports of entry, all of which had been constructed by us. We saw one factory now constructing six locomotives per day of the larger type and placing them in operation; inspected one great bakery nearing completion with a capacity of 900,000 pounds of bread per day, feeding from this one bakery 800,000 men three times per day. We observed that the construction work at this bakery was being done largely by German prisoners captured at Chateau-Thierry. We were told that these prisoners were almost famished when brought in, carrying in many cases only a little parched corn for food. At this bakery they were using wheat flour, 60 per cent hard and 40 per cent soft, with no substitutes.

Friday, the 30th, will always be remembered by us as a red-letter day, as it was our first visit to the fighting fronts. While other members of the party completed the inspection of supply bases my son and I went with an American officer to the Chateau-Thierry front. We traversed the front for 50 miles from the extreme point of contact when our troops were thrown into the breach to the present lines of battle. It will be remembered that after three years of comparative deadlock on the western front the Germans began the great drive which pushed the British Army out of their defenses and back toward Amiens for a distance of over 30 miles along a 60-mile front. The success of this effort was a great surprise and had a decidedly discouraging effect upon the allied morale. Another such a drive and the great British Army would be destroyed and driven into the sea, and the channel ports would fall into German hands. It was a supreme effort to crush the armies of England and France before America's strength could be applied. In one respect it was a confession of the failure of the submarine campaign. The drive stopped only 8 miles out of the important junction city of Amiens, which was the objective. The Germans proceeded to bring up guns and supplies for another drive, in the meantime massing vast numbers of troops and materials for the drive against Paris. This drive in May was also astoundingly successful, pushing forward some 30 miles in a salient extending from Rheims to Soissons, along a circular front of 100 miles, the point of which reached the town of Chateau-Thierry when stopped by American marines. It was evident that a similar advance in this region would put the Germans at the gates of Paris and permit its total destruction. The citizens left by the million, and the heroic French Army was badly demoralized. The immense stores and great guns were brought up in preparation for another such advance. We saw the emplacements of these enormous guns, most generally

located in forests. They had been bombarding the city at a distance of 75 miles; even stronger guns were now being placed at one-half that distance from the capital city. After such elaborate preparations and with great confidence the Germans renewed the drive upon Paris on the 15th of July and tore their way through the French front. The left wing of the German Army crossed the Marne at Dormans and continued to advance until the American troops were encountered. The center was endeavoring to cross at Chateau-Thierry; the left wing extended far to the northwest through the Belleau Woods and was rapidly advancing. A breach of several miles in the French lines occurred. At this juncture the Second Division, including the famous marines, were thrown into the breach, and the heroic manner in which they performed was the wonder of the campaign. They declined to retreat, although advised by French officers to do so; instead they met the Prussian Guards in the open, as they advanced with bands playing, in regular column formation, goose stepping toward the city.

An officer who was through the battle showed us the point of first contact. It was a wheat field, without trenches or defenses; the whole countryside from that point extending along a front of 100 miles is lined with German graves. We were told that the Americans drove the left wing of the Germans back over the Marne, with a loss of over 50,000 men. We had in this fight five divisions—something over 125,000 men. The famous Prussian Guards gave way; following this French and Americans attacked the sides of the salient, and the Germans have been gradually retreating ever since, leaving the vast accumulated stores of guns and ammunition and their unburied dead. We went through Belleau Woods, where the marines and other divisions fought for three weeks hand to hand with bayonets. Artillery, and especially machine guns, were used with great effect against our soldiers, and our losses were very heavy. The timber is shattered and splintered. When you go through the remains of these great forests the wonder is that a human being could survive. German bodies were still there unburied, thousands had been cared for by our own soldiers, and they were being buried as fast as possible. A marker indicated their nationality. Guns, helmets, ammunition, shells, hand grenades, and every description of equipment were still strewn all about the woods and fields. When a soldier is wounded he immediately drops everything, with an effort to stop the blood and save his life. We each picked up a German gun with bayonet attached; some of these latter weapons are interesting, showing the barbarism of the German Army. They are provided with saw-tooth edges that will rend and tear the flesh beyond repair. Still they were protesting against the cruelty of our troops in charging machine-gun nests, the statement being made that our men do not wait to take the operators of these guns prisoners. Reason for so doing.

We saw many machine-gun nests, and there was generally a group of German graves around them. One of these guns will shoot 500 shots per minute, and are fearfully effective. They use these guns largely to cover retreats of main bodies.

We followed this devastated country through towns and cities absolutely demolished and leveled by gunfire till we came up with our advance posts, who were still pursuing the gradually retreating Germans. It was pathetic to see the refugees returning to their houses. We would observe them viewing the ruins with tears in their eyes and a most pathetically discouraged expression on their faces. In this advance we first came to the greater guns bombarding the German lines, and then to the light artillery, and next to the men in line, waiting orders to charge after the artillery had paved the way. It was interesting to see the airplanes busy directing the fire of guns. The air on this front seemed to be in our control, although we would see an occasional German plane boldly flying over the field. We talked with our artillerymen and were surprised to see them so cool under fire. Shells were bursting from German guns at various distances away. We observed that at regular intervals of four times per minute a shell was bursting in the road 200 yards from the batteries, who were laughing at the poor markmanship. A large limb had been knocked off the tree under which we stood, but they said it must have been a stray shot. An American truck bringing up shells had to pass in the road being so regularly shelled. We watched the driver turn out, drive around the danger area, and deliver his load with perfect composure.

The spirit of our soldiers is the wonder of all the allies. They inspired every allied army with confident determination. The results are apparent all along the line, and the Americans are given the full credit. It was amusing to see the artillerymen insisting on having wound stripes painted on two of their big guns struck by German shells.

Returning from this front, we visited the grave of ex-President Roosevelt's son Quentin. He had fallen inside German lines in a fight with several airplanes, shot through the head by machine-gun fire. They had buried him and marked his grave with a German inscription and placed an inclosure of birch wood.

We visited many towns along this front, including the city of Cheirry, then being gassed by Germans, and were required to wear gas masks. We were advised to hurry along, which we did. Also a number of towns more recently evacuated by the Germans, including that of Vesle, where Ludendorf established his headquarters for the final drive upon Paris. He was quartered in a great circular rock tower; his headquarters had been hit several times with shells, but remained standing. Evidently Ludendorf had left rather suddenly, as many important papers still remained in his headquarters. These disclosed his plans for a grand entry into Paris; special divisions had been set apart to lead the way.

The Germans had evidently intended to stay permanently in these towns, as they had renamed and renumbered the streets. We observed that one important public square in a larger place was renamed "Kaiser's Square." As they left the cities they destroyed them. Arrangements were about concluded to serve official notice upon Germany that city for city would be destroyed when German territory was reached unless such useless destruction immediately ceased.

We joined other members of our party and took the train for Rome in order to visit the Italian front, while necessary arrangements were being made to visit the Belgian, British, and French fronts after our return from Italy.

En route to Rome we stopped at several points and heard reports from Red Cross workers as to labors performed. At Tourraine Maj. Taylor, in charge of Red Cross work in northern Italy, told us of the homeless children his organization is looking after—some 2,000 lost from parents in the great offensive last October. In this way we spent two days on the way to Rome, finally arriving on September 4. We were met by representatives of our embassy, and arrangements had been made for a visit to the government and military authorities. All were agreeably surprised at Rome. We expected to see a very ancient place, with narrow, crooked streets and tumbled-down ruins; instead we saw a very modern city. You needed a guide to see any ruins. Of course we saw the Forum, Coliseum, the bridge on which stood Horatius, the Tiber, where Cæsar and Cassius had their swimming contests; the seven hills from which Rome ruled the world; the Apian Way, and other places of interest too tedious to mention, including the Great St. Peter's Cathedral.

We were invited to dinner at the ancient home of Augustus Cæsar, though none of Cæsar's immediate family seemed to be there to welcome us. We were shown where Cæsar and Pompeii played when boys, before they engaged in more serious affairs. We were shown the spot where Christ met St. Paul when the latter was leaving the city and told him to return to his work, and the place where St. Paul was slain and is now buried; were told an interesting story regarding the later life of Pontius Pilate, which story had recently appeared in a historical volume.

We called and paid our respects to Secretary of Foreign Affairs Sonino, one of the great statesmen of his day, and Prime Minister Orlando; both impressed us as men of very great ability; both spoke to us of the great inspiration and material aid America is furnishing in the mighty conflict. The prime minister in his speech emphasized, first, the great advantage of application of the American business principles to the war work and dwelt upon the amazing things accomplished in such an incredibly short time; second, the great moral inspiration to the Italians to have the Americans decide that the allies' cause was just after such mature, disinterested deliberation; and, third, the impressive fact that America wants no selfish gain, but is actuated by love of liberty and righteousness.

We took luncheon at a magnificent castle on one of the seven hills commanding a view of the city. Col. Perkins, a wealthy citizen of New York, is maintaining the home at his own expense as general Red Cross headquarters in Italy. Great work is being accomplished by this organization in giving relief to a stricken people. All Italian officers expressed unanimous appreciation of the unselfish and efficient service.

In the afternoon we attended a special session of the Parliament; speeches were made. We were shown the new chamber which is to be dedicated when news of victorious peace is received.

The morning of the 6th we arrived at the headquarters of the Italian armies and at once went to the front on the Piave River, visiting "the Montello" and other scenes of the great offensive

in June, which resulted in such disaster to the Austrians. The Italians knew the very hour it was to begin and were ready for it. Italian machine-gun corps were called upon to cover the Austrians' approach. It meant certain death, but the machines poured an incessant fire into the advancing hosts, thinning their ranks until the operators were killed. Then the countercharge came which threw the Austrians back upon the river, which had risen during the battle to a torrent. They were much delayed in recrossing; they could not advance, and 230,000 Austrians were lost. We approached the Austrian lines and heard the shots going over our heads. The Italians gave each of us as a souvenir a shell we had seen fired into the Austrian trenches. Our officer guides were noticeably nervous for fear some accident might befall us, which would delay our arrival at the King's headquarters, as he had commanded us to dinner with him at 7.30 sharp. Any delay would have been considered a tragedy.

It was rather an interesting event. The King talked to us with reference to our visit to the front; told us he was very much pleased to have us make a thorough inspection. Upon being told that it was interesting to hear the great shells bursting, he remarked that it was so unless some one is hurt. He commented upon the excellent marksmanship of the Americans and said if they had 25 or 30 divisions of our troops in addition to his troops he would be able to go to Vienna. He desired that we should recommend the shipment of such troops to Italy. He explained why his soldiers were not such good shots as ours, saying there were no bears left in Italy at which to shoot; he apparently thought every American was a professional bear hunter. (Catching Fritz in bear traps.) One of the members thought it was important to take details of conversation, the menu, and so forth. I observed there was no milk, butter, or sugar upon the King's table. He explained they had no milk even for the babies, saying it was necessary to kill all the cows to furnish meat for the soldiers. He hoped we would examine the front carefully, and especially go to the Alps region, including Montegrappa, to see actual mountain fighting. We informed him we started for those regions the next morning. He mentioned, modestly, some of the distinguished actions of Italian soldiers, referring especially to the work of Rittza, who had recently sunk three Austrian dreadnaughts with an ordinary motor boat armed with torpedoes; and the work of Maj. D'Annunzio, who had just returned from a trip to Vienna by airplane distributing literature, including one of President Wilson's speeches.

The King remains at the front with his soldiers, by whom he seems to be very much beloved.

I wish I could adequately describe the trip to the Alps and the character of the military operations there. Montegrappa is in many respects the most wonderful thing we saw. The engineering skill in constructing mountain roads and defenses was evident upon every hand. We drove by a circular winding route to the very tops of the mountains. At a rest station halfway up we had refreshments and witnessed a spectacular battle in the air at an elevation of over 15,000 feet. We were shown the intricate tunnel system through the top of the mountain, designed for defense and attack; were led through 4 miles of tunnel through solid rock, branches of which came to the surface occasionally, looking down upon the Austrian lines. We could easily see the busy Austrians preparing their trenches and manning their guns. Shells were constantly bursting, but luckily not in our immediate vicinity. From the portals of these tunnels great guns were pointed at the Austrians and more were being installed. Aerial tramways, similar to our own in the mining districts, were bringing up ammunition and taking back the wounded.

As we returned to headquarters an Italian officer met us, saying Gen. Diaz wanted to see us at his camp. The general spoke at some length in Italian, which, being interpreted, informed us of his great pleasure in seeing us at the Italian front; spoke of the difficulties Italy had encountered, and how very greatly she had been aided and encouraged by America. He voiced the determination of the Italian Army and people to carry the war through to final and absolute victory. He emphasized the necessity of having some of our troops to assist and encourage his own. This, he said, would enable Italy to make a successful drive against the Austrians; said Austria had a preponderance of troops and advantage in position. The general said he had profound respect for the Americans and for our President, regarding the President as the leading and most powerful citizen in the world. This sentiment was voiced by men of every country we visited. The general had just that day returned from a conference with allied generals in Paris, and had learned of the great valor of our soldiers.

We were most favorably impressed with the general, as we had been with the Italian statesmen and soldiers. We have some troops in Italy training for active work at the front. These since took part in the final assault upon the Austrians,

The most cordial relations obtain between all men and officers. They jokingly introduced to us an American aviator named Wanger as the great "Austrian ace," because he had wrecked five Italian planes in training.

After visiting the mountain front we went to Venice. In these trips through various parts of Italy to and from the fronts we were impressed by the beauty and fertility of the country. Women were doing the farm work, as they were all over Europe generally. Young girls were placing barb-wire entanglement along the roads to hinder invasion. The crops were abundant for the harvest.

Papers were found, after the great victory in June, issued by the Germans, giving instructions from headquarters as to the details of pillaging crops these women had worked so hard to produce, evidence that the Germans are "gallant supermen"; that they should wait until the women had finished the crops before robbing them.

We found beautiful Venice largely deserted. The royal yacht met us at the depot for the trip down the grand canal and the city officials tendered us a welcome to their city. They showed us over the town in yachts and gondolas, pointing to the results of Austrian air raids. No guns had yet been trained on Venice, the air raids being frequent and serious, so much so that 120,000 of its people had fled and many had been killed and drowned during the panic following the raids.

We visited war activities along the lower Piave; saw the Italian fleet in control of the Adriatic, and the great aerodromes furnishing battle planes which control the air. The work of Italian aviators has been remarkable. We saw many evidences of their skill in driving away the Austrian planes.

A Capt. Leo had just returned from a flight along the Austrian lines on the lower Piave, taking a complete series of photographs, and was now arranging them in proper sequence. He was under constant fire by antiaircraft, his machine being hit 47 times and his mechanic badly wounded. By use of magnifying glasses details of the entire defenses could be disclosed.

On the 10th of September we had finished the Italian front and were en route to Paris. We met a partial shipload of the "irredenta," Italian soldiers belonging to the unredeemed portions of Italy, long in control of Austria, who had escaped from the Austrian Army and gone around the world, returning via America, enlisting there to fight the Austrians. We were impressed with the fact that it would be a very difficult thing to conquer men with such a spirit.

In every way our visit to Italy had been pleasant and instructive. Our committee was profoundly impressed with the Italian people and soldiers; it was our opinion that America and Italy are destined to benefit mutually by closer associations.

Early on the morning of the 11th we were again in Paris, ready to go to the Belgian-British fronts. Calling upon Ambassador Sharp, we were told that it would be especially desirable for us to call upon the King of Belgium, because another delegation of Congressmen had arranged an appointment and failed to appear. The King, although he had no chewing tobacco, was proud of his dignity, and had made some complaint to Washington of the disrespect shown him, and the ambassador had heard from the incident. We were unanimous in our decision to lend ourselves toward smoothing out this international tangle.

After calling upon French Premier Clemenceau and attending a session of Parliament, in which services in commemoration of the lives of certain members recently killed in battle were being held, we were ready for another battle front.

It might be said that the premier, though approaching 80, impressed us as being a man of great vigor of body and intellect. He expressed his appreciation of America's decisive assistance and of France's determination, and told us that we would hear great news from the American front within a day or so. We had heard persistent rumors of a great American drive, and hoped that we could stay until it occurred, but this was the first official information.

During the morning of the 12th the Belgian embassy arranged for our visit, and we arrived at Calais next morning. We were met by a commandant with the rank of major in the Belgian Army and driven to the army headquarters. We met the generals in charge of Belgian forces and were welcomed to the Belgian front. We examined their great aviation fields, noting developments in aerial photography and expert machine-gun fighting. Here we met an American officer, who is chief of an American military mission in Belgium, Capt. W. P. Cresson, who, in company with Belgian officers, would show us the front.

We imagined we had seen desolation along American and French fronts, but in comparison with Belgian cities, forests, and countryside, we had not. We visited towns and cities where not a wall of a building remained intact; stately and valuable

forests with not a tree remaining alive as far as the eye could reach. We were later to see similar desolation in France, but so far we had beheld nothing comparable with the tragic spectacle of German depredation against the Belgians, against whom they could have no grievance. As you viewed once prosperous towns and cities wantonly laid waste without military reason a great wrath against the barbarians who wrought such ruin surged through your heart and soul and strengthened your determination to continue the war till full and complete justice shall be done.

We did not undertake to make note of the towns and cities we visited; they presented a monotonous sameness of appearance; each had a church, which was evidently the center of attack. I remember at Furnes, a once prosperous town of 7,000, now almost completely destroyed, without even a military excuse, we were examining the ruins when we saw a little, curly-haired Belgian girl of about 7 years peek curiously out of her home through shell holes. We found a little family of a mother and three children still staying in their wrecked home, in spite of the fact that shells were still falling and bursting about them. We asked why they remained, and were answered that they would leave when a place could be secured for them. We observed that both Belgian and French people are extremely loth to leave their homes. It is often all they have, and they are naturally more strongly attached than we are in America. The wanton destruction of the homes of such is one of the most tragical things of all the war.

We proceeded to the trenches under as much cover as possible, as we were under observation from German airplanes. Along this front the air seemed to be in decided dispute; anti-aircraft were busy as well as heavy artillery; shells were moaning over our heads like the wail of lost spirits, and for the first time it began to occur to us that we were doing an extremely foolhardy thing. Still we wanted to see the front-line trenches and how the men were faring there. While we got behind cover when shells were coming and machine guns were busy from airplanes, we worked our way through the devious system of trenches to the front. The country of Flanders has been inundated by lifting great gates at high tide and through diversion of water from canals; while this added to the defensive strength of the country, it makes life in the muddy trenches rather disagreeable and also renders aggressive action against the enemy very difficult.

We followed the front through Belgium, visiting many points of interest, including the city of Ypres, once a flourishing community of 17,000, now totally destroyed. Some of the hardest fighting of the war has occurred here. The Germans were not able in all their drives to take this city from the British. Many hundreds of thousands of men were slain here and new overcrowded cemeteries appear along the roadside. The city and roads were still being shelled. Some British soldiers stopped me and asked the news. I told them of that day's work by the Americans at St. Mihiel, and their faces brightened through the powder smoke, and with grim smiles they said, "Hurrah for the Yanks."

We observed that the square where we stood had been renamed by the Tommies as "Suicide Corner" and we moved along. On the road to Ypres a bursting shell threw fragments against our automobile, and another, lighting in the water, splashed muddy water against the windows. This was the most warlike of our experiences so far.

We saw Mount Kemmel, learning that it had recently been taken from the Germans by a Tennessee division brigaded with the British.

The next day we worked into the very front line at Dixmude. The town was still held by the Germans, the front lines facing each other along the Yser Canal. These trenches are constructed to about the depth of an average man's length, built in zigzag style to prevent their being enfiladed lengthwise by gunfire. Occasionally we would go through tunnels; everywhere we encountered mud and water. The soldiers were in little "fox holes" dug into the side of trenches and would peer out at us as we passed, each grasping his rifle ready to repel the Germans or go over the top after him when so commanded. We followed the front-line trench for a half mile or more, only 25 yards from the Germans just across the canal. We were constantly warned to keep our heads down for fear of sharpshooters and hand grenades and only ventured to inspect the Germans through the periscope. From what we saw of them we were not impressed with their beauty. Returning to headquarters we were driven to towns nearer the coast more recently destroyed by shell fire. Nieuport, one of these places, formerly having 10,000 people, now not a civilian remains. The Germans were shooting directly over the town at some Belgian batteries playing upon their lines. The large shells go through the air singing a most doleful tune, which, I imagine, would grow very monotonous after the novelty wears away.

At 5.30 we called upon the King, who spoke in slow, deliberate English of the debt of everlasting gratitude Belgium felt, always would feel, toward the great Republic. He knew that whatever might come we were the sincere friends of the Belgian people. He mentioned the relief we furnished in their distress; also the great and efficient army we had put into the field; said the accomplishment had no parallel in history. Referred to the great victory of the day before at St. Mihiel. Told us that he had been to America when a lad, and said that he would enjoy another trip when his people had been restored to their homes and happiness.

The next day we followed the desolated area, partly by machine and partly by train, along the front through Amiens to Paris. The city of Amiens was the largest of those we had visited which had been destroyed. It might be considered a total wreck; possibly one house out of ten had escaped, which was rather a large average. We had seen the type of guns which destroyed this city; in fact, the very gun which was chiefly responsible for its destruction had been captured by the British when the Germans retreated, and we examined the same. They were trying to remove the immense gun mounted on trucks, attended by a train of cars carrying officers and ammunition, when a British aviator bombarded the track, stopping the retreat, and the cavalry then captured the huge cannon and took it to Paris for the people to see.

Along the British front it was evident that the Germans were overpowered in the air. We would occasionally see a squadron of German planes approaching, but invariably they were driven away by the British; they would not risk an encounter at close range.

They told us the Liberty motor was the strongest, swiftest, and most reliable of all, and only wished for plenty of them.

We arrived at Paris on a bright moonlight night, and my son remarked that "we would probably have a German air raid tonight." We needed a good night's sleep and had to leave at 6.30 a. m. for further and final examination of the French front; therefore hoped there would be no disturbance, but at 1.30 a. m. the air bombardment began. It was certainly a noisy occasion; high-power shells bursting, sirens screaming a warning and antiaircraft bombing away. The fragments of shells killed many people, including some prominent men, but mostly women and children who had no way to escape. The airplanes had come in great squadrons from German lines down the Marne River, and went back and forth over the city dropping bombs. Fortunately two of these planes were brought down by the antiaircraft fire. Another bombing expedition had passed over us in Belgium, and alarms had been given, but they were on the way to Dunkirk, which they bombed, kindly allowing our town to escape.

At 6.30 a. m. next morning we were up and off for the final visit to the French front, taking a train for Epernay, one of the objectives of the last great German drive. In this city we went over a plateau to Rheims, a once beautiful city of 150,000 people, now totally destroyed by shell fire. En route we called upon the French major general in charge of the French armies in that sector, who told us that some 6,000 gas shells had been fired into the city during the night and morning, but he thought we could hurry through and overlook the German lines and get away without trouble, if we were lucky. The general said it was not warfare to needlessly destroy cities when compelled to leave them as the Germans were doing, but pure vandalism, for which they should be made to pay. He said: "We regard these ancient works of art, such as that beautiful cathedral, as belonging to the world, and not to France alone; they can never be replaced." We pointed to a beautiful new church just destroyed; the officer replied: "That does not matter, we can rebuild the new, but never the ancient."

At Rheims we worked our way through circular concrete passageways far beneath the earth's surface to an observation point where the German activities could be seen; they were shelling the city, and it appeared foolhardy to linger. At this point we examined a champagne cellar containing 18,000,000 bottles of the liquid joy, evidently one of the objectives of the Germany army, but defended by the French with great vigor.

Returning to Epernay at night, we planned to get an early start for the trip along the front to Fismes, Soissons, and along the general course of the late allied advances in this sector. Thousands of American troops were being pushed through in the early morning on motor trucks for a drive to be made to the northwest of Verdun. One major told us he had several million dollars' worth of immense guns on the way to the front, which he invited us to inspect. We saw them cleverly hidden from view in the daytime and being moved forward at night.

Very shortly we heard of the great advance which tore immense gaps in the famous Hindenburg line. We traversed the battle field from Epernay through the various towns destroyed; past Dormans, where the Germans effected a crossing of the Marne, only to be driven back with great loss by the Americans. Remnants of several of the pontoon bridges on which the Germans had crossed were in evidence, and the graves of Germans everywhere dotted the landscape. Outside of Fismes we were informed the Germans were actively shelling the city, having recently withdrawn to the highland across the Vesle River; they evidently feared that some home might remain standing. We took a circuitous route, and from a high position watched the shells bursting within the city. A large observation balloon was seen going up near our position, and Capt. Joubert, in charge of our party, said we would probably see a boche airplane after it presently and should get under cover, as the fragments of shells from machine guns or machine-gun bullets might do some damage to perfectly good helmets.

Sure enough, in a little while a German airplane appeared and the antiaircraft guns proceeded to practice on it. The two observers in the balloon could apparently leave in parachutes, but fortunately the plane was brought down.

We had our luncheon with us, but went into a camp of the Fourteenth United States Engineers and used their tables and chairs. Through all of this country thousands of German and American rifles and other details of soldiers' equipment strew the ground. These Engineers were engaged at the time in salvaging the material. One lieutenant told me that he and his crew of eight had gathered over $10,000 worth that morning. We observed that the French captain with us would always salute as a private salutes his superior every time we passed a graveyard.

As we proceeded south we noticed that companies were collecting and reburying the American dead and, so far as possible, marking and identifying their graves.

The French officer expressed the sentiment to us that any compromise would be false to these heroic dead whose bodies were mingling with the soil they fought to free forever from the tread of a barbarian's foot. With this sentiment and the resolution following it we thoroughly agreed. It must have been that Lincoln was inspired by that same impulse when he said at Gettysburg that "we here highly resolve that these dead shall not have died in vain," meaning, I believe, that the living are under the most solemn obligation to the dead; that the victory which they died to achieve shall be complete and lasting.

We finished the fronts and took the train at Chateau-Thierry to Paris, returning to leave for home, and the boy left for his post of duty. Another son who was in the aviation camp Paullac was disappointed at not being able to see us. I sent his commander a telegram asking for two days' leave for him, if not inconsistent with the public service, in order that the boy might visit a day with us. He granted five days, and the lad met us at the port of entry. Together we visited the great rest camps at Brest where our soldiers have a few days after the sea voyage.

One of these camps was being made ready for use of 150,000 men. Our Army was constructing a city water system for Brest, in order to supply our soldiers' needs. We called on Admiral Wilson, who explained naval operations to us; and visited that portion of our fleet in those waters, kindly given the use of Admiral Wilson's yacht for the purpose. We inspected the beautiful ship *Mount Vernon*, recently torpedoed 250 miles offshore, en route home with several hundred sick and wounded. The Germans seem to take delight in torturing those already distressed. A hole 10 by 14 feet, with branches running in every direction, was torn through the solid steel plate with such force that the keel of the ship was broken. Thirty-six out of 43 men in the boiler room, where the torpedo struck, were killed; by a miracle seven escaped; one of these was blown by the force of the explosion through an air chute for 30 feet. By cutting through the steel chute he was rescued before the water reached him. He was badly burned, but recovered.

Senator LEWIS, of Illinois, and Mr. SCHALL, the blind Congressman, and wife, were on board this ship and assisted in comforting the shell-shock victims, who were much disturbed by the noise and confusion.

The captain prizes very highly an eloquent word of commendation of his conduct written in his record book by the Congressman's wife. He, in spite of the apparently fatal injury, had managed to escape another shot and get back to harbor. His great ship will soon be mended and returned to the service of transporting troops. He believed the destroyers paralyzed the submarines by use of depth bombs.

We witnessed the approach of a fleet of nine large troop ships bringing 45,000 men. We were to embark for home upon one of these ships, and therefore went aboard before the troops disembarked. It was interesting to mingle with the troops and note their eagerness for the latest news from the front. Several Utah boys were aboard, among them two high-school chums of my son. We had a nice visit in our stateroom. We told them the news and conditions at the front and that the Germans were breaking the speed limits before our advance. Their eyes glowed as they said, "We must have a hand in helping to finish this business." Leland, the boy, left with the last lighter load of troops, and we pulled away toward the west in a fleet of seven ships and an equal number of destroyers.

We had an occasional report of submarines sighted, and a few times depth bombs and guns were fired, but with no definite results. It would add immensely to this story to relate the destruction of one or more of these dreaded monsters, but the narrative would be of no interest if untruthful, if, indeed, of any interest at all.

We were convoyed for a couple of days through the danger zone, so called, and then the much-loved destroyers drew away to the northwest to meet an incoming fleet loaded with soldiers, while our ships were carrying only wounded back to their homes.

Many rumors came and went; one was that two German cruisers were at large on the high seas trying to sell themselves as dearly as possible.

A fleet of troopships passed us to the north, accompanied by a battleship and a battle cruiser, giving some strength to this rumor. We were ordered to sleep with clothes on and life preserver at hand, and were called several times each day, beginning at early dawn, to our posts for sudden abandonment of the ship. We watched each day with interest the daily wireless from the front, giving details of our great advance with the result and capture of many thousand prisoners. We were favored with one real storm at sea. There was consolation during the progress of this hurricane in the thought that a submarine lurking in our path would not get us if the storm king was to claim us for his own.

The last day after the storm the sun shone and the sea was beautiful and the news that Bulgaria cried "enough," and Turkey was asking for terms, and German soldiers to the number of 248,000 had recently surrendered, brought a degree of enthusiasm and confidence to those aboard.

Twelve days of circling and zigzagging brought us to the sky line of old New York, and five hours more to our work in Washington, thus ending our most strenuous and valuable experience.

The personal observations of war at close range deepened and intensified our prejudice. We had ventured to the battle fronts to gain a fleeting glance of the actual conflict. We had visited hospitals where the wounded, the blinded, the permanently crippled had just awakened to their condition. We had noted the remorse upon the faces of men; we had seen the pathetic expression of the blinded, vainly pleading to see again the beauties of the world.

We learned that in this war, waged with relentless fury for 50 months, there had been destroyed 1,500 towns, 450,000 houses, leaving millions of people "without roof against the rain and snow." We learned the cost to be $196,000,000,000, and, further, that the material damages had been assessed at $150,000,000,000, that the financial loss in men slaughtered and crippled and hopelessly diseased amounted to over $300,000,000,000 more.

Great Britain told us they had buried 1,000,000 men and had permanently crippled 1,500,000 more. France had counted 1,300,000 dead, 2,000,000 crippled, and 1,500,000 consumptives, the disease contracted from exposure. Italy's loss 1,000,000 dead and crippled. Austria reports 4,000,000 casualties; Russia, 7,000,000, with 2,000,000 dead upon the field, 3,000,000 lost through disease; Germany's man power was exhausted with 6,500,000 casualties.

Of our own heroic boys we had lost over 70,000 dead and 200,000 maimed and crippled. Our men had been slain by machinery, poisoned by gas, and tortured by every cruel ingenuity. We asked, Is it necessary? Is it to occur again? Has not mankind emerged far enough out of the shadows of savagery to find a better way? Can not there be tribunals of reason instituted among men? What will it profit the world if no permanent peace is secured?

Our President is arriving to-day with a sublime instrument unanimously adopted by 14 nations, representing a vast majority of all the people of the globe. *Shall the labors of these earnest men, expressing the opinions of people everywhere, be nullified by the special pleadings of envious partisans?*

I submit, with my approval, as the answer to this momentous question an editorial from the Deseret Evening News of my city:

THE LEAGUE OF NATIONS.

The poorest argument against American participation in the league of nations is that which rests upon the objection to American intermingling in European affairs or becoming involved in what are called "entangling alliances." That stock phrase fitted a situation which was all right in its time, but which has long since passed away. This is the age of steamships and railways, electric telegraphs and cables, submarines, airplanes, and wireless communication with the ends of the earth; it is the age not of "splendid isolation" but of world community of interest; not of placid self-sufficiency but of magnificent interdependence. As to European affairs, it is too late now to talk about our keeping out of them. We are involved, and inextricably involved in them; we are just now bringing home some of the 2,000,000 young Americans who have been most vitally and valiantly participating in them. And as to entangling alliances, the league of nations idea proposes not to multiply but to simplify them—to make them, in a word, nonentangling.

The good ship *George Washington* is bearing homeward the Nation's President, prepared to give to his countrymen an account of his stewardship in presenting their ideals and maintaining their policies as to the sort of alliances that shall henceforth be contracted between nations. Whatever the world's verdict upon the plan which he is to submit for America's approval, his share in formulating it can not be denied. It may be attacked furiously by some—it may suffer that even more injurious enmity which is represented by lukewarm support. Congress will have its fling at it, probably without waiting for its champion to be on hand for its defense. The hostile press and platform will try to make capital out of it and will searchingly probe and magnify its weaknesses, and their criticism will be unsparing. It is not a perfect scheme—its warmest advocates do not claim so much. Doubtless it can be and should be amended and improved by discussion. But those who have set or shall set themselves against it because of some minor imperfection, disregarding the while the fundamental principles of human righteousness, justice, progress, and peace upon which it rests, thereby proclaim themselves backward scholars in the lessons of modern advancement and thought, blind adherents of the traditions of a long-past day, incompetent judges of the resolute new spirit of a war-weary world.

For the league of nations is coming, as surely as the dawning follows the darkness. It is coming, whether the United States joins in and becomes a leader or stays out and is left in what some canting critics persist in calling isolation, though such a thing can no longer be. It is coming, because there has been no other way proposed whereby nations can preserve their necessary relationship one toward another without recurrence of such cataclysms as that which has just shaken the earth to its foundations. And America is going to assist in, insist upon, and hasten its coming, because she, too, must maintain a relationship with the rest of the world, and does not intend to be forever compelled to wear a clanking saber or spend her substance in arms and armaments in order to be secured against the assault of a jealous, lawless foe. It frankly proposes world-wide peace and the abolition of war—a purpose which none will have the temerity to oppose. And the man who resists it on any other grounds, without being able to offer something better, is not only foredoomed to defeat but is to be pitied for the shame he will bring down upon his diminished head.

The Wheat Bill.

EXTENSION OF REMARKS
OF
HON. RICHARD WAYNE PARKER,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919,

On the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. PARKER of New Jersey. Mr. Speaker, the Food Administration of the United States, especially in the matter of wheat, the staff of life, has been the marvel of this war. The wise and patriotic genius of its chief, Herbert C. Hoover, has controlled every branch of that Food Administration in such a manner as to save the world from starvation without even imposing onerous restrictions upon the people of our country. The rest of the world have been under severe enforced rations. Hoover trusted the patriotism of America and his trust was not in vain. The problem was mighty. It came to a crisis when we entered the war in April, 1917. For three years the great Russian wheat production had been cut off by the closing of the Black Sea. The ravages of the submarine had made it impossible to bring wheat from Australia or from Argentina. The crop in India had failed; the crop in Egypt and northern Africa was negligible. The most fertile parts of France were in the hands of the enemy. Our crops of 1916 and 1917 were not overabundant. Our problem was to keep the allies from starvation, and to that end we passed the act of August 10, 1917, to provide for the national security and defense by encouraging production, conserving supply, and controlling the distribution of food products and fuel.

Production was to be encouraged for the following years, but it was essential immediately to preserve the supply and control the distribution of wheat. Under that act the grain corporation was organized with a capital stock of $150,000,000, held entirely by the United States, and the President was authorized to make all business in necessaries subject to license; to prevent hoarding; to requisition food for the Army and Navy; to buy, store, and sell; to take over food plants and packing houses; and to regulate markets. Other war legislation had given the President war power over transportation, exportation, importation, and shipping in order to prevent our products from going to the use of the enemy, or from being wasted by our allies or by neutrals; and to take care of the soldiers in the field, the allies, and our own people. The work done by the Food Administration has been of the most intricate and marvelous character. The allies, perforce, agreed to submit the whole question of their food supply to Mr. Hoover's decision. Our people had done the same, and from that day to this not a bushel of wheat has been grown, distributed, transported, exported, imported, or sold on the markets except subject to the control of his wise administration.

It is also essential to the conducting of the war that we should encourage the production of wheat. To that end the act referred to guaranteed $2 a bushel for all wheat to be grown in 1918. This was a minimum. The President was given power also from time to time and in advance of seeding time to determine and give notice of what is a reasonable guaranteed price for wheat to secure a reasonable profit. February 21, 1918, the President, by proclamation, guaranteed $2.20 for No. 1 northern spring wheat at Chicago, if the wheat should be harvested during 1918 and offered for sale before June 1, 1919; and on September 2, 1918, the President guaranteed $2.26 per bushel at Chicago for like wheat harvested during 1919 and offered for sale before June 1, 1920. As a result, our production of wheat grew by leaps and bounds. In 1917 it was under 700,000,000 bushels, in 1918 it is estimated as 917,100,000 bushels, and in 1919 if the increased planting gives equally good crops it will be 1,000,000,000 or possibly 1,200,000,000 bushels. It is obvious that the price guaranteed was sufficient to encourage production and to reward the farmer, for otherwise he would not have planted. It has obviously not been too great for the exigencies of the war, because the price in the United States has been much less than the price among the allies or in the neutral countries of Europe. It has been less also than the usual price during wars. In England during the years 1801 to 1810, except in the years 1802 and 1806, wheat ranged in price from $2.31 to over $5 a bushel. The fluctuations were tremendous, and profiteering was universal among farmers and dealers. We have been saved from all this, because our Government, through the Grain Corporation, held a large store which could be placed on the market at any time. The Government prohibited exports when wheat threatened to go high, and it controlled the distribution throughout the world, so as to maintain a sufficient price to give to our farmers an ample profit, while at the same time it prevented the oppression of the people by an exorbitant price. It is true that the guaranteed price is higher than was paid before the war, but it is not higher than during and after the Civil War. The price of wheat in New York City—see part 2 of Senate Report No. 1394, second session Fifty-second Congress, page 64—ranged in 1864 from $1.60 to $2.75; in 1865, from $1.45 to $2.25; in 1866, from $1.70 to $2.80; in 1867, from $2.25 to $3.25; in 1868, from $2.05 to $2.75; in 1869, from $1.40 to $1.90; and in 1870, from $1.22 to $1.44. Our people have therefore, paid less for wheat than was paid during or after previous wars.

The Food Administration act ceases with the war—see section 24—except as to obligations accruing or accrued. There is an accrued obligation as to wheat harvested in 1918, but that wheat has nearly all been sold above the guaranteed price, and the United States are free of liability. There is no "accrued" obligation as to wheat which will not be harvested until the middle of 1919, but there is an accruing obligation as to wheat that has been planted.

The spring wheat has not yet been planted. We have an armistice, though we have not yet peace, and the notice of a guaranty might be withdrawn as to spring wheat so that the land can be devoted to other purposes if the raising of that wheat will result in a loss to the Government. The United States are not making guaranties in order to put taxes upon the people for going into the production of goods that are unnecessary and that glut the market. The whole theory of the food-control bill is to secure production of necessaries and to encourage such production only when necessary.

It is astonishing that there should be any difficulty in any mind upon this question if the predictions of the experts are to be trusted.

The war is not yet over. I am one of those who fear that it will not be over for some time. I likewise fear that our crops may not be as large as expected; that deficiencies in Europe may

be greater than we now think; that the European crop of 1919 is likely to be much diminished by the ravages of war, present anarchy, and the scarcity of seed wheat. Our experience after the Civil War seems to be in point, although so many conditions—of climate, weather, and otherwise—enter into the crops of any particular year that I have no reason to put my own opinion against that of the experts.

These experts say that we are likely to have a bumper crop of 1,000,000,000 to 1,200,000,000 bushels, which includes over 300,000,000 bushels of spring wheat not yet planted. They tell us likewise that the United States will use for food and seed over 600,000,000 bushels, and that 400,000,000 bushels more are likely to be demanded elsewhere, but that the uncertainty as to that demand makes them fear that there may be a surplus, which will probably not be over 200,000,000 bushels, but which may reduce the price, say, to $1.25, so much that the United States might have to pay a dollar a bushel for its guaranty on the whole crop of 1,000,000,000 bushels, or $1,000,000,000. This bill asks the present appropriation of that sum to meet that possible contingency, together with the continuance of the purchasing features of the food-control legislation and also of its restrictive features until October, 1920.

I am sorry not to be able to concur or to consider all these remedies proper at the present time.

As to spring wheat, if it is really probable that we shall have a surplus of wheat, which will lower prices, it is the duty of the United States to withdraw the offer of our guarantee of the price of the spring wheat which is not yet sown but which will amount to between 300,000,000 and 400,000,000 bushels. No one has any vested right in a crop that is not yet sown, for the land can be devoted to other purposes. The guaranty had no other consideration except to encourage production, and the production is not now wanted. Nothing has been paid out by the farmer that will not help another crop. He can sell any seed wheat. The fact that he received the guaranteed price for 1918, which was ample, instead of an exorbitant war price, is no consideration for further United States action. No man has a right to exorbitant prices for food. The President should decide on his best judgment as aided by these great experts.

Second. Purchase and storage: The right of the Government to purchase and store so much of the wheat crop as will maintain the price is beyond all question under the present law. So long as the guaranty remains the Government stands in the position of surety and guarantor who has full right to protect himself against loss. The purchase would not amount to over 200,000,000 bushels, or, at most, 400,000,000 bushels, for which there are ample storage facilities. The Grain Corporation with $150,000,000 of capital found no difficulty in making purchases to this amount, and if such purchases be made the Government would lose nothing on the rest of the wheat, because those purchases will hold the price the whole world over. As to the justice of such action, it is a very different thing to buy and store goods in order to stabilize prices from buying goods in order to get excessive prices by cornering the market. Nothing is worse for the world than fluctuations in the price of grain which cause the farmer to despair and to refrain from planting a crop. There is much to be said in favor of municipal warehouses for fuel and food, to store surplus, prevent unreasonable fall in prices, and preserve the people from scarcity caused by weather, breakdowns in transportation, or speculation. During the recent famine in China the citizens of Tientsin were living comfortably from the city's granaries. Joseph was right in saving food in Egypt for the years of scarcity. Every fortification has its stores for time of war. There is no reason why our Government should not keep such stores until it can sell without loss. This is no war measure, but simply the proper and necessary disposition of assets acquired to meet obligations contracted during the war. This power is so essential that it is obviously retained by the Government, and the present bill is not needed to confer that power though it may be proper to assure it.

Third. The appropriation of $1,000,000,000 is at least premature, if not unnecessary. Wheat now maintains its price and is likely to do so. If there should be a bumper crop in the fall of 1919 the Grain Corporation have ample capital to buy enough wheat to hold the price until the meeting of Congress, if, indeed, Congress shall not have met long before that time. It is not usual to appropriate for a contingent liability, nor to appropriate three or four times what that liability is likely to be at a time when every dollar is so hard to get. The appropriation, if made at all, should be not over $150,000,000 more.

Fourth. The war powers of the food-control act and of the other national-defense acts should not extend into time of peace. They exist necessarily until that time, which we hope may come soon; but when peace does come a free people desire no limitations by executive boards upon their production or the selling, transportation, distribution, or exportation of any of their products. They do not wish to ask for licenses to sell their goods or send them to friendly nations. They wish the free right to import from Canada or elsewhere, subject only to such tariff or duties as may be imposed by law, but not to the changing decrees of any man or board. They are ready to submit to war, but they wish peace to be a real peace. They want no priority orders, embargoes, licenses, or prohibitions.

This bill will perpetuate war control. By section 4 the President may regulate or prohibit any wheat exchange or market. Section 5 not only continues the food-control power to license importation, manufacture, storage, or distribution, but adds the word "exportation," and section 6 adds a new section, not known to the food-control act, that the President, in carrying out the guaranties or to protect the United States against enhancement of its liabilities, may make imports or exports of wheat or wheat flour unlawful.

These powers are war powers. They should not be carried over into time of peace. They are unnecessary for the protection of the Government guaranties, for it is easy, as already pointed out, to protect the Government price through the year 1920 by purchasing any surplus, so that if there be any loss it will be on that surplus only and not upon the whole crop.

Appropriations to meet a merely possible and contingent loss can wait until we know something more about the production and demand of 1919. It should certainly be but a fraction of the amount proposed by this bill. A bill to continue the power of the Grain Corporation to purchase and sell is proper now and will be proper at that time, with a possible enlargement of its capital by a sufficient appropriation, but provisions that carry into the time of peace war powers which were only necessary during the war in order to monopolize the scant production of wheat for the use of our allies, their soldiers, and ourselves are utterly improper as a peace power to enable the Government of the United States, when crops are sufficient, to maintain prices by arbitrary interference with the freedom of production, transportation, trade, and commerce, including importation and exportation. In time of war the law is silent; in time of peace we are all free. The Government is free to buy or sell, and so is the individual.

This bill is at least premature. We do not yet know conditions.

EXTENSION OF REMARKS

OF

HON. NORMAN J. GOULD.

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. GOULD. Mr. Speaker, I have to-day introduced a resolution directing the House Committee on Foreign Affairs to investigate the present situation in Costa Rica and the Government's connection therewith.

I have taken this step because of information which recently has come to me and which, if truthful, indicates the existence of a situation in that Republic and of a diplomatic policy on the part of this Government which is so repugnant to our traditions and previous policies as to call for prompt explanation on the part of the Department of State and full and free discussion in Congress.

Personally, I can not vouch for all of the facts, or alleged facts, that have been brought to my attention; and, due to the unfortunate policy of the State Department as a result of which Americans seem to forfeit their rights to the protection of their Government when they venture into Latin American countries in the pursuit of foreign trade and commerce. I do not now feel at liberty to give the House the names of my various informants. This much, however, I will state on the strength of my own observation:

The political plague born in the State Department, reared in its recently acquired atmosphere of paternal idealism and pride-stifling internationalism, which has wrecked peaceful, prosperous Mexico in the last eight years, now seems to threaten not only Costa Rica but all of Central America.

Articles in both Washington and New York newspapers recently exposed a very serious condition of unrest extending virtually from the Rio Grande to the Panama Canal. It would appear that this condition is merely the natural and inevitable result of a policy toward Costa Rica strikingly similar to the

policy which has, in my belief, been so terribly exemplified in the case of Mexico.

For more than 18 months President Tinoco, of Costa Rica, has been refused recognition by this Government. The reasons which prompted the refusal are not now known and never have been known to the public. The results, however, are clear enough. Costa Rica's credit has been injured; her Government has been discredited, and her very institutions threatened with the same kind of attacks that Mexico has endured during the last eight years. During the fall of 1918 a number of American newspapers published a series of sensational articles which purported to be a revelation of President Wilson's motives in refusing diplomatic relations with Costa Rica. These publications at that time claimed that a group of American citizens led by Mr. Lincoln G. Valentine of New York, inspired and financed the overthrow of the Gonzales Government and placed Tinoco in the presidency, in order to secure from the new Government certain oil concessions.

Subsequent to this publication, I am reliably informed, a subcommittee of the Foreign Relations Committee of the Senate inquired into the refusal of this Government to accord recognition to the existing government of Costa Rica, headed by President Tinoco. That subcommittee, of course, had before it not only such information and such allegations as the newspapers had published, but additional facts, obtained, I presume, from the State Department and other sources.

With this information before it, Mr. Speaker, the subcommittee reported, in effect, that it could find no good and sufficient reason for the continued refusal to recognize the Government headed by President Tinoco. In view of international conditions then existing, however, the subcommittee did not recommend mandatory action on the part of the Senate, although, I am informed, several members of the subcommittee unofficially communicated these facts to the State Department and urged President Tinoco's recognition.

Gonzales, the deposed President of Costa Rica, immediately after the bloodless coup d'état two years ago, had left Costa Rica and had come to the United States. Since that time, I am informed, he and his friends have persistently maintained an intrigue of publicity against President Tinoco and against American interests in Costa Rica. If statements I have received are true, this intrigue has reached into some of the executive departments of this Government.

I wish to lay before the House at this time some of these allegations, which have come to me unsolicited and which I feel strongly should be investigated by the Foreign Affairs Committee. They include these:

1. That the newspaper articles published last fall included what was alleged to be confidential correspondence between Mr. Lincoln G. Valentine and other American citizens.

2. That, according to these publications, this confidential correspondence—involving American citizens of integrity and good standing—was obtained from the safes of the parties named through the assistance of—I quote the publications—"officials of the United States Government."

3. That this assistance was alleged to have come through a man who purported to be an agent of the Department of Justice.

4. That this alleged agent of the Department of Justice delivered these pilfered papers to Gonzales to be used in the furtherance of the latter's publicity intrigues against American citizens and their interests in Costa Rica.

5. That one of the first acts of Gonzales after assuming the Presidency of Costa Rica in 1914—shortly after the outbreak of the European war—was to found, in collaboration with a notorious German propagandist, a newspaper devoted to pro-German publicity.

Mr. Speaker, I am loath to believe these allegations; I am loath to believe that the Government—shall I say "foreign office" of the United States Government?—is engaged in safe-cracking work against its own citizens in behalf of foreign political exiles or that it is conniving at a publicity intrigue which may have for its object the wrecking of an important phase of our foreign commerce.

And I am loath to permit such statements and allegations to go unchallenged by this Congress.

But, Mr. Speaker, I am more loath to accept the responsibility as a Member of the American Congress for the continuation without my protest of such practices if they do exist.

I want this House and this Congress to have the facts. I want to see the unpublished portions of that stolen correspondence. I want to know if, as has been alleged, Gonzales, during his tenure as President of Costa Rica, persistently and systematically persecuted foreign interests that had invested in Costa Rican properties on his solicitation. I want to know if, as has been alleged, this Gonzales, in his persecution of American interests, advised with and was advised by that same German propaganda service of whose insidious and diabolical workings in Mexico we learned through the publication of the Zimmerman note two years ago. I want to know if, in Costa Rica as in Mexico, such anti-American political leaders have been used as the cat's-paws of the pirates of Wilhelmstrasse.

It took the American people a good many years to realize, Mr. Speaker, that crimes were being committed in Mexico under the guise of "revolution"; it took them a good many years to realize that the German Government had reached into the very vitals of that country with its baneful influences, and when the story was told officially through the publication of the Zimmerman correspondence this country stood aghast.

I believe the time has come to show the hidden hand of intrigue among our Latin American neighbors and to serve notice on all agents of Germany that this Government will no longer allow them to hound Americans, even though their activities are shrouded in the mystery of Latin American politics.

Mr. Speaker, I believe the time has come again, and I thank God for it, when Members of the American Congress may ask questions of the State Department without inviting reflections upon their loyalty, public spirit, or patriotism.

Sermon by Rev. Arthur B. Kinsolving, D. D., on the Occasion of the Funeral of the Hon. J. Frederick C. Talbott.

EXTENSION OF REMARKS

OF

HON. J. CHARLES LINTHICUM,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 16, 1919.

Mr. LINTHICUM. Mr. Speaker, under the leave granted to me to extend my remarks I include the following sermon by Rev. Arthur B. Kinsolving, D. D., on the occasion of the funeral of the Hon. J. FREDERICK C. TALBOTT:

We have assembled in this home on this beautiful autumn day to lay to rest with the church's old words of faith and hope one of the best-loved public men that Maryland has had for many years. This vast concourse of people, comprising as it does a distinguished deputation from the Congress of the Nation, of the citizenship of Baltimore, and the community around, bears witness of itself to the affectionate esteem in which our departed friend was held. I can not forbear adding to the ritual of the church some words of appreciation of our friend. I do this with some hesitation, because I speak in the presence of many who were far more intimately associated with him than I. Yet I feel confident that what I shall say of the sterling traits of his character and service will find an echo in your own hearts and minds.

Mr. TALBOTT dies at the close of a very remarkable career and at a time when his services to the Nation compel the tribute of our gratitude.

As a young man he caught the spirit of chivalry pulsing in the souls of so many youths in this State and cast in his lot with the Southern Confederacy, making an honorable record as a member of Gilmour's cavalry. To the end of his life he looked back upon this service with unfeigned satisfaction, and at all reunions of his comrades was a central figure.

He held his friendships throughout life by his strong and unchanging loyalty. FRED TALBOTT did not forget. In the rough and tumble of a long political career he had many strenuous and hard fights. After the battle was over there was no bitterness in his soul; he accepted his few defeats with equanimity, which only a strong man possesses, and soon retrieved himself in large measure by this very spirit. As life wore on the acerbities of earlier political strife abated, and it is quite remarkable how his circle of friends widened with the years and how many former opponents came to appreciate the man at his true worth.

Mr. TALBOTT was a true servant of the people in this State. He was unsparing of himself in this service and absolutely unwearied in his attention to every detail of his duties as a Congressman. Indeed, he came to his death perhaps a little before his time because he left his bed a few days ago to go to Washington to keep an appointment in the interest of a young man whom he had promised to help. Several years ago, while traveling in New England with a Congressman from Texas, I believe, his companion said to him, "I should think it would be very awkward, TALBOTT, for you to live while in Congress right in the midst of the people you represent and to be forever accessible to their requests for patronage and help." TALBOTT turned instantly and said, "On the contrary, one of the joys of my life has been to know that every morning I would find on my desk some opportunity to serve my people, and perhaps during the day receive several of them at my office. This, I conceive, to be one of the greatest joys of a man's life—to live among the people whom he serves and to be in touch with their needs."

His most conspicuous national service was the work he was permitted to do as ranking member of the Naval Affairs Committee. From the beginning he stood stanchly against those who clamored for a little Navy and in favor of the most liberal naval program which this country could afford. His services here are valuable beyond all estimation. The justification of his foresight has already been written in these pages of recent history when our American Navy has rendered such conspicuous service in this war for civilization and freedom. It is most fitting that

one of the vessels now building should bear the name of the man who has labored so valiantly for our greater naval program.

And this reminds me to speak of what is, perhaps, the crowning honor and distinction of his life as a public servant, for he has served in Congress for a longer period than almost any other Member. Though he has had unusual opportunities in his conspicuous position to further his own interests, Mr. TALBOTT, I am assured by those who know best, dies a poor man. In this respect he is an example to all men. His ideal was not gain but service. He had caught the vision of the nobility, the blessedness of service to his fellow men, and to that vision he was true until his strength was gone.

As to his attitude in religious matters, Mr. TALBOTT seems not to have identified himself with any Christian church. We wish he had. It had been better so; but he was the friend and helper of all churches. No acrid skepticism blighted this man's soul. He was a believer in our blessed Lord and Savior, and he often appeared among the worshippers, and his leanings were in the right direction. Toward the end, as he realized that his days were numbered, this spirit of reverence and trust in God seems to have deepened. We leave him to the mercy and care of the God and Father and Savior of us all.

EXTENSION OF REMARKS
OF
HON. GILBERT N. HAUGEN,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 21, 1919.

Mr. HAUGEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following:

[Convention of National Board of Farm Organizations. Afternoon session. Washington, D. C., Tuesday, Feb. 11, 1919, 2 o'clock p. m.]

ADDRESS OF HON. GILBERT N. HAUGEN, M. C., MEMBER OF COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES.

Mr. HAUGEN. When asked by your secretary what subject I might prefer to discuss, I said: "Though no comment on the organization seems necessary, having come in contact with a number of the officers and members of the association and knowing of their high type of character and rectitude of purpose and ability to do things, I was naturally interested in your organization and its success and, if agreeable, I would prefer to offer a word of encouragement."

I have never understood why one half of the American people should find it necessary to organize and cooperate for their benefit and not the other half. It has occurred to me that if it was proper and necessary for labor and industrial interests to organize, it was also proper and necessary for the other half—the agricultural people—to organize and cooperate as well. Certainly, when we consider all that is involved it seems that every fair-minded man will concede the justice, right, and necessity for cooperation.

When we turn to the census reports we find that more than half of the American people live in rural districts. We find that more than 6,000,000 farmers and 6,000,000 farm laborers, tilling more than 6,000,000 farms, produced last year 5,600,000,000 bushels of cereals, which is about one-third of the production of cereals in the world; 917,000,000 bushels of wheat, about one-third of the wheat produced in all the world.

The gentleman preceding me has spoken about the dairy interests. We have 43,000,000 head of cattle, 23,300,000 milch cows, giving more than 8,500,000,000 gallons of milk. We have 71,000,000 swine; 49,000,000 sheep; 19,500,000,000 pounds of meat, pork, and mutton. The live stock on the farms on the 1st of January and the 1918 crop was valued at $24,700,000,000, which is three times the stock of money in the United States, after our printing presses have been running to full capacity the last year and turning out all sorts of money.

My friends, here we are with organization on one hand, the labor and other activities cooperating. On the other hand we have this vast number of people without cooperation.

It would seem that it is proper and fair and just that they cooperate; that is, to perfect an organization such as suggested by your chairman here a moment ago, men with heart and soul in the work, and who have a sincere interest in the agricultural people—an organization equipped here with proper office building, with money to support it, and with money to employ the proper talent to appear before legislative bodies to impress their viewpoints; men who stand for a square deal all along the line, for just laws, and an honest administration of just laws. Legislation not to meet the views of those who have no respect for law, order, or property rights, but legislation dealing with all questions in a broad and comprehensive manner, with a spirit of fairness and justice to all concerned; legislation not to deprive an individual, corporation, or interest of a single dollar honestly acquired, but legislation to promote and perpetuate the prosperity and happiness of the people in all communities.

Now then, as to the necessity of organization. Have we any grievances? Is there any just cause for complaint? My friends, if anybody is in doubt, if he will turn to the Federal Trade Commission's reports, I believe he will find food for thought. If he will look over the reports, he will find, for instance, that the Steel Trust was permitted to increase its profits from $47,000,000 in 1914 to $478,000,000 in 1918, or about 1,000 per cent, much of it at the expense of the Government. They were given the benefit of the natural law of supply and demand largely stimulated by the Government.

The millers increased their operating profits 175 per cent, and on the capital invested 100 per cent; he would find that four packers increased their profits $121,000,000 above their prewar profits. He will also find in those reports that the meat producers—the live-stock men—are at the mercy of, say, five packers, killing 70 per cent of the live stock, by reason of their control of the market facilities and pooling and splitting shipments and dividing purchases, the little black book, and various other combinations and conspiracies.

As you know, the railroads were on the verge of bankruptcy. They were about to go into the hands of receivers. Their stock had been watered and mortgaged to the limit. They were unable to renew their obligations or to borrow money. They were taken over. Nobody objected to that. They were guaranteed $175,000,000 to $200,000,000 compensation above the amount estimated by the Interstate Commerce Commission. They were guaranteed an annual compensation running as high as 647.22 per cent. We are paying compensation to one road—the Bessemer & Lake Erie Railroad—several times over every year.

So, my friends, we might go along, but I believe this is sufficient. Now, on the other hand, the farmers. As you know, Hoover told us that wheat would go to $7 a bushel and that that should not be done. The price then was $3.45 per bushel. Neutral nations offered $1 premium, or $4.45 per bushel. He stated his task would be to furnish flour at $6.60 per barrel. That would have netted the farmer about $1 per bushel. Later he said he might concede $1.50 per bushel. Congress fixed the price at $2, and provided for a commission which fixed it at $2.20 and later at $2.26. Italy fixed the price at $3.60; France, $3.96; Canada, $2.24½; Switzerland, $3.36; Norway, $4.38. The price of wheat was fixed not at the price it would have been under the natural law of supply and demand but was arbitrarily fixed by the Government. As a result the wheat grower suffered a loss of approximately a billion dollars. The farmers did not object. Their representative told the committee to carry out the plan; that what they were interested in was winning the war. They accepted the price.

Now, the representatives of the farmer, about 200 of them, all from the various exchanges, the millers and bakers, appeared before the Committee on Agriculture and stated that they proposed that the wheat grower shall have the price fixed. Coupled with that they asked that the poor millers who increased their operating profits 175 or 100 per cent on their capital stock—they say that they should be protected against loss; and we have prepared a bill which is being introduced and will come up in a few days, and it provides for a guaranty to the miller against loss. It goes further than that—it guarantees the baker against loss.

I have served on the Committee on Agriculture a number of years. I have observed that the representatives claiming to represent the farmers are nine times out of ten members of or representatives of other organizations such as the boards of trade or exchanges, the millers and packers. They profess great friendship for the farmer, but, after all, they are human and selfish and not infallible. Although appearing as spokesmen for the farmer, we find them pleading with tears in their eyes for legislation to further their own interests, even at the expense of the farmer.

It has often occurred to me that the best interests of the farmer might be better subserved if he appointed his own spokesman, rather than to depend upon these self-appointed representatives. I call attention to the cotton futures act, the standardization act, the meat inspection act, the legislation giving authority to fix the price of wheat, the oleomargarine act, and a number of others might be cited. It has also occurred to me that with farmers' organizations and cooperation, such as the National Dairy Union, of which your chairman, Mr. Creasy, is secretary—and I speak of it because I have come in more frequent contact with its representative than any other—if, with the proper, active, efficient organization, equipped with headquarters in Washington, such as is suggested by your organization, the Temple of Agriculture, and provided with the necessary funds to maintain it and the employment of the necessary number of industrious and capable representatives, with a view of effectively impressing its viewpoints upon our lawmakers and to look after its interests—if represented by them instead of being represented by boards of

trade, packers, millers, and various other boards appearing before the committee suggesting and framing legislation, might it not result in legislation different and more conducive to the best interests not only of the farmer but of the consumer and of the people as a whole? It has often occurred to me that with a complete system of checking up the legislation, with proper representation in shaping legislation, it would bring beneficial results. I am not putting it too strong when I say that one man with the backing of 7,000,000 farmers employed to aid in shaping legislation and one man in the gallery checking up and making records would bring better results, so far as the farmer is concerned, than any 2,000 men employed in the Department of Agriculture. In stating that, I desire to be understood that I have no quarrel with the Department of Agriculture and with the scientists employed therein, though I believe great improvement could be made so far as the farmers' interests are concerned. I appreciate the great work done and I am proud of its achievements and I feel certain that much good must come from it in the future, but that does not imply that the department and the scientists are entitled to the credit of all that has been accomplished or that we can look to them alone for our future prosperity and happiness. Furthermore, I believe that much of the overlapping and duplication and waste of expenditures should be dispensed with. I believe the department should confine its appropriations and activities to the duties assigned and not to promoting propaganda for the retention and for the securing of unnecessary new appropriations.

In referring to the department and legislation, do not understand me to charge the members of the legislative bodies or the department with corruption, but all are human and none infallible and, as all of us are more or less the products of our environment, as long as certain interests assert their rights and influence and the other does not, the one exercising its influence naturally comes out ahead.

In order to accomplish the desired results, it is, of course, not necessary, either in making or in assisting in shaping laws, that these representatives be farmers, or, as suggested by some, instead of having 400 attorneys in Congress, a number of attorneys should be substituted by farmers, merchants, bankers, and so forth, though there is no need of a large number of attorneys in shaping and passing legislation, certainly not those devoting their time and art to the question of constitutionality and the preparation of jokers for the purpose of defeating the purpose sought.

Railroads and packers have probably interested themselves more in legislation and cooperation in influencing legislation than any other business enterprises. In their employment of representatives to represent them before legislative bodies they do not always employ men engaged in railroading or in packing. They employ men who in their opinion can accomplish the most. So with the board of trade. I am told that its secretary, Mr. Merrill, is a farmer; that he never deals in future trading; he spends most of his time on the farm; he can give one as many pointers on farming as anybody; that he is an honorable and capable man, performing his duty with fidelity and rectitude of purpose. Hence, what is needed are men with heart and soul in the work. I feel at liberty to express my views upon the subject. Though I never posed as a farmer, having been born and reared on a farm and having owned and operated a farm for 42 years and with my limited possessions, four-fifths consisting of real estate, or 4 to 1 in farm value to every other investment, I might properly be styled a farmer and, if influenced by personal interests or selfishness, my interests would be with the farmer. But I trust, in framing legislation, I may be credited with taking a broader view of the matter. I prefer to believe that all take a just and pardonable pride in our Nation's growth and greatness, in the fact that we are living in this age of marvelous expansion and are moving forward with a mighty speed; that the wheels of industry are moving; the fact that we rank among the most practical, prosperous, and intelligent people on earth; that progress, prosperity, and happiness are in evidence everywhere and that all feel it their duty, no matter what their political affiliation, creed, occupation, or prejudices may be, to strive to benefit this country, to relieve the distressed, to protect the weak, to uplift humanity, to promote and to perpetuate true greatness; if so, honest and thoughtful consideration should be given by all with the view of securing full benefit for our natural resources, for the development of mechanical appliances and the skill and genius of American labor; to see to it that nobody is imposed upon; that everybody is given adequate protection against any invasion on the part of unscrupulous and dishonest interests in order that we may have the fullest development of every worthy and legitimate enterprise.

EXTENSION OF REMARKS

OF

HON. BENJAMIN L. FAIRCHILD,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 27, 1919.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an editorial from a New York paper on the life of Mrs. Mary Russell Butler, who died recently, having 19 grandchildren who have patriotically served their country in this war. The following is the editorial:

A LADY OF OLD NEW YORK.

"Memories of a New York of the long ago are awakened by the death at the age of 90 of Mrs. Mary Russell Butler. As the daughter of Capt. Charles Marshall, head of the Black Ball Line of trans-Atlantic packets, and wife and since 1902 widow of William Allen Butler, she was a link with a social, literary, and commercial past in the history of the city which grows even more romantic the further it recedes. When she was a girl the fame of Washington Irving was at its height, and Cooper, Bryant, and Paulding were giving a new renown to American literature. In 1850 she married the man who was to make himself famous overnight with a slight satirical poem, 'Nothing to Wear,' which outlives his more substantial reputation as lawyer and author.

"As a bride Mrs. Butler lived in Nineteenth Street, just east of Broadway, and it is with the New York of which Madison Square was the farthest north, the lesser but socially more spacious New York of the period preceding the Civil War, that her name is associated. Her long life comprehended nearly three generations of social evolution, and she saw the progressive extension of fashion's boundaries from Washington Square to upper Central Park.

"To have been a girl in New York when the 'Knickerbocker school' of literature was flourishing, a young matron when Jenny Lind sang and Patti made her début, and to have lived well into the twentieth century surely is a rare lifetime."

ROLL OF HONOR OF THE GRANDCHILDREN OF MARY RUSSELL BUTLER WHO HAVE RESPONDED TO THEIR COUNTRY'S CALL.

SONS, DAUGHTER, AND SON-IN-LAW OF WILLIAM ALLEN BUTLER.

Lyman Collins Butler. Veteran of the Seventh Regiment, New York National Guard. Reenlisted December, 1915. Served as corporal in Company K, Seventh Infantry, New York National Guard, and United States, at McAllen, Tex., during the Mexican campaign of 1916. Was there promoted to sergeant. His health became impaired as a direct result of climatic conditions and excessive activities on the border. Was therefore not able to respond to his country's next call for service. He died June 20, 1917.

Charles Terry Butler. Served under Dr. Joseph Blake in the military hospital at Ris Orangis, France, for seven months from June, 1916. Volunteered for service in the Medical Reserve Corps, United States Army, August, 1917. Assigned to officers' training camp, Fort Oglethorpe, Ga. Commissioned first lieutenant. Assigned to Evacuation Hospital No. 3. Has served with American Expeditionary Forces in France since January, 1918. Proceeding to Germany with army of occupation.

Louise Tracy Butler. Qualified as Red Cross nurses' aid, 1916. Typist at Red Cross home service (civilian relief), 1917. Sailing for France, Y. M. C. A. canteen work, December 5, 1918.

Maitland Dwight. Enrolled in United States Naval Reserve Force August 7, 1918. Ordered to aviation school for ground officers at Great Lakes, Ill., with rating of C. Q. M. (A.), September 16, 1918. Now stationed at United States naval air station, naval operating base, Hampton Roads, Norfolk, Va.

SONS OF CHARLES HENRY BUTLER.

Ethan Flagg Butler. Commissioned first lieutenant, Medical Reserve Corps, United States Army, October 31, 1913 (inactive list). Director Serbian Unit No. 2, American Red Cross, European war relief detachment, 1914–15. Commissioned captain, Medical Reserve Corps, June 1, 1917. Assigned to active duty, War Demonstration Hospital, Rockefeller Institute, New York City, July, 1917. Assigned instructor in war surgery, Bellevue Hospital, New York City, November, 1917. Commissioned major, Medical Reserve Corps, March 15, 1918. Now acting military director, course of instruction in war surgery, Bellevue Hospital, New York City.

Charles Marshall Butler. Commissioned second lieutenant, Infantry Reserve Corps, early in 1917. Ordered to first officers' training camp, Madison Barracks, May, 1917. Commissioned captain, Infantry Reserve Corps, August 15, 1917, and assigned to command of Supply Company, Three hundred and twelfth Infantry, at Camp Dix. Commissioned major of Infantry, National Army, January 23, 1918, and assigned to command of Third Battalion, Three hundred and twelfth Infantry. Ordered to "School of the Line" at Langres, France, May-July, 1918, standing first of 50 men. Saw action at St. Mihiel and drive from Verdun for Sedan. Commissioned lieutenant colonel in France. Commanded the forces that captured Citadel of Grand Pre, November 1, 1918.

Henry Franklin Butler. Enlisted as a volunteer in the United States Naval Reserve force, April, 1917. Appointed chief yeoman. Commissioned ensign in Naval Reserve in 1918. Now on duty in the aviation branch in Washington, D. C. Commissioned lieutenant (junior grade) October 18, 1918. Sworn in November 30, 1918

SONS AND DAUGHTER OF THE LATE GEORGE PRENTISS BUTLER.

John Crosby Butler. Enlisted in First Armored Motor Battery, National Guard, New York, March, 1916. Attended first officers' training camp at Plattsburg, May 13 to August 15, 1917. Commissioned second lieutenant, Infantry, United States Army, August 15, 1917. Assigned to Three Hundred and Sixth Infantry of Seventy-seventh Division, "New York's Own." Located at Camp Upton winter 1917. Sailed for France April, 1918. In front line trenches, Lorraine sector, June and July, 1918. Commissioned first lieutenant, August, 1918. In action, Chateau-Thierry sector (Vesle River), August and September, 1918. Appointed aide to Brig. Gen. Vidmer October, 1918. In action, Argonne Forest, 1st of October to end of war. Mentioned in orders for bravery in carrying communication lines across the Vesle River under heavy fire.

George Prentiss Butler. Enlisted as a private in the United States Army, Transport Service, Quartermaster Corps. Commissioned second lieutenant May, 1918. Now serving as a freight superintendent in Hoboken.

Allan Macy Butler. Attended American officers' training camp, Oxford, England, in 1917, and proceeded to France. Assigned to Quartermaster Corps. Commissioned second lieutenant and assigned to Sixth Field Artillery. Commissioned first lieutenant September, 1918. Now with the army of occupation. Commissioned captain November 6, 1918.

Andrew Reid Butler. Member of the Seventh Regiment, National Guard, New York. Served on the border during the Mexican campaign, Company K, Seventh Infantry, National Guard, New York, and United States, 1916. Now retired on account of ill health due to exposure and overwork while there.

Harriet Allen Butler. Member of the American Red Cross Motor Corps and acting as ambulance driver.

SONS AND DAUGHTER OF MARGARET BUTLER PAUL.

Theodore Sedgwick Paul. Member of Philadelphia city troop, National Guard of Pennsylvania, 1916. Attended first training camp, Fort Niagara, May–August, 1917. Commissioned captain, Infantry, United States National Army, 1917. Instructor, second training camp, Fort Niagara. Assigned to Seventy-ninth Division, Camp Meade, and reassigned captain Three hundred and ninth United States Cavalry, Fort Sam Houston, San Antonio, Tex., 1918. Assigned to Nineteenth Trench Mortar Battery, Camp Bowie, Fort Worth, Tex. Transferred, November, 1918, to Fifty-sixth Field Artillery, Camp Doniphan, Fort Sill, Okla. Now on duty there.

John Rodman Paul. Enlisted in Medical Reserve, United States Army. Served in Base Hospital No. 18, France, June, 1917, to June, 1918. Now in S. A. T. C. of John Hopkins Medical School, Baltimore, Md., with rank of corporal.

William Allen Butler Paul. Member of Troop A, National Guard of Pennsylvania. Served on the border during the Mexican campaign, 1916. Commissioned second lieutenant, United States National Army, 1917. Assigned to Battery B, Three hundred and fifteenth Field Artillery. Now with Eightieth Division, United States Army, in France.

Samuel Hollingsworth Paul. Member of section 1, American Ambulance. Served in France, March to September, 1916. Enlisted United States Signal Corps, aviation section, 1917. Commissioned first lieutenant, November, 1917. Instructor of acrobatic aviation and commander of Sixty-fourth Aero Squadron, Gerstner Field, Lake Charles, La. Now on duty as military aviator in France.

Arthur Paul. Enlisted in United States Naval Reserve, 1917. Commissioned ensign, United States Naval Aviation, 1917. Instructor at United States Naval Air Station, Bayshore, Long Island. Appointed division instructor November, 1918. About to proceed with his division to United States Naval Air Station, Brunswick, Ga.

Henry Neill Paul, jr. Entered as midshipman, United States Naval Academy, Annapolis, Md., July, 1918.

Mary Russell Paul. Member Training School for Nurses, Presbyterian Hospital, New York City, 1917–18.

EXTENSION OF REMARKS

OF

HON. JULIUS KAHN,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. KAHN. Mr. Speaker, availing myself of the privilege granted me to extend my remarks in the RECORD, I desire to call attention briefly to the splendid service rendered by colored soldiers in our recent war. But it is a fact that as early as the Revolution the black man helped to fight for this country. In all the other wars since he likewise performed signal service as a soldier.

There is a movement on foot among the colored citizens to have compiled and prepared as a public document a memorial history of the colored race in America which shall narrate its loyalty and service to the Republic. I take pleasure in presenting herewith a copy of a memorial to the Congress of the United States, signed by a number of prominent colored men and women, praying that steps be taken by Congress to have such a publication compiled and issued.

The memorial is as follows:

MEMORIAL TO THE CONGRESS OF THE UNITED STATES.

To the honorable the Speaker of the United States House of Representatives, Washington, D. C.:

The undersigned, your memorialists, respectfully request the Congress of the United States to provide by appropriate legislation for the preparation, compilation, and publication of a memorial history of the colored race, one recording fully their loyalty and devotion to the United States in all its wars and civil achievements.

We recall the fact that twelve millions of colored Americans neither owe nor pay allegiance to any other flag save that of America, and we urge this loyalty and fidelity should be fittingly recognized. They have never faltered in their patriotism, and point to the fact that history has never recorded a black Benedict Arnold. Recalling the above, your memorialists believe the time is auspiciously ripe to give to the world these salient facts of their history. And, further, that no more fitting monument on the eve of a great world peace could be provided than one recording their supreme sacrifices at Lexington, Concord, Bunker Hill, Valley Forge, Red Bank, Groton Heights, and other important battles of the War of Independence.

At Lundy Lane, N. Y.; Lake Erie, under Commodore Perry; North Point; Bladensburg; New Orleans; and other actions of the War of 1812–1814. They bore a conspicuous part in all the colonial wars and later against the Indians on the frontier.

At Vera Cruz, Mexico, 1847, under Lieut. Raphael Semmes, when they manned the naval battery in that siege; and, again, their fidelity to every obligation assumed was tested in no doubtful manner on both sides of the great civil conflict of 1861. Their loyalty and fidelity to their former owners, their wives and children during that strenuous period was eloquently described in burning language, May 31, 1918, by Congressman POU, of North Carolina, and at an earlier date by the late lamented Henry Grady, spokesman of the new South, who declared it challenged his highest admiration as being without a parallel in recorded history. This alone, we believe, warrants our plea.

They were present on every battle field in the Spanish-American War and with Dewey in Manila Bay. But this is not all. In less militant times they were conspicuously in evidence. Pietro Alonzo, a man of color, was pilot of the *Nina* in 1492 under Columbus. They were with Lewis and Clark, 1804–1806, and with J. C. Fremont, in 1842, in his explorations of the Rocky Mountains. One of their race stood beside Admiral Robert Peary at the North Pole and waved the American flag on the roof of the world.

No monument of bronze or marble can fitly recount these things. No one place can justly claim them. But not so with a monumental history as is herein asked for. By the medium we ask an enduring monument would be placed in every city, town, village, and hamlet, and in all the great libraries of the world. It would be an inspiration to all who had taken part in the narrated events and a heritage to be transmitted to their children. The loyalty, fidelity, and willing response of the race with its blood and treasure during the war with the central powers deserves such recognition, and the most elementary claims of gratitude demand that it should be generously given.

John P. Green, ex-senator twenty-fifth senatorial district of Ohio; Wm. R. Green, 10809 Earle Avenue, Cleveland, Ohio; Chas. W. Chesnutt, 1106 Williamson Building, Cleveland, Ohio; George A. Myers, 2199 East Seventy-first Street, Cleveland, Ohio; Walter B. Wright, 1348 West Eighty-fifth Street, Cleveland, Ohio; John R. Philen, M. D., 3404 Central Avenue, Cleveland, Ohio; Wm. L. Archer, assistant secretary Caterers' Association, 2216 East Fortieth Street, Cleveland, Ohio; Maj. Wm. T. Anderson, chaplain, United States Army, retired, 2215 East Eighty-ninth Street, Cleveland, Ohio; Ormond H. York, editor the Cleveland Advocate, 503 Superior Building, Cleveland, Ohio; Harry E. Davis, attorney, 2605 Williamson Building, Cleveland, Ohio; Thomas W. Fleming, city councilman, 3004 Central Avenue; A. H. Martin, 348 Engineer Building; R. R. Horner, Washington, D. C.; J. E. Johnson, Washington, D. C.; W. R. Valentine, Bordentown, N. J.; T. C. Williams, Bordentown, N. J.; John Urquhart, Bordentown, N. J.; Channing Allen, Camden, N. J.; D. M. Stewart, Cleveland, Ohio; Howard P. Stoots, Newark, N. J.; V. H. Daniel, Bordentown, N. J.; D. P. Jones, Trenton, N. J.; B. H. Jones, Indianapolis, Ind.; C. T. Greene, Camp Dix, N. J.; J. C. Smith, Princeton, N. J.; Geo. W. Pierce, Bridgeton, N. J.; C. D. Kenny, Trenton, N. J.; W. Smith, Jersey City, N. J.; R. McCraw, Jersey City, N. J.; D. S. Stackhouse, Haddonfield, N. J.; H. Lane, Bordentown, N. J.; C. Wilson, Bordentown, N. J.; George Young, 135 West One hundred and thirty-fifth Street, New York; Herman S. Whaley, 334 West Fifty-third Street, New York; Eunice Brown; Anita Louise Sands, 202 West One hundred and forty-third Street, N. Y.; Marguerite White, 2405 Seventh Avenue; Harcourt A. Tynes, 153 West One hundred and thirty-first Street; Charles Alec Penney, 2228 Seventh Avenue; M. Walter French, 19 West One hundred and thirty-sixth Street; Eliza Moten Hyder, 206 West One hundred and thirty-seventh Street; Frank M. Hyde; Chas. Hatfield Dickerson, 3600 Wabash Avenue, Chicago, Ill.

Offered by Charles H. Dickerson, of Chicago, Ill.:

WASHINGTON, D. C., *December 18, 1918.*

Resolved, That the executive committee of the National Equal Rights League heartily indorse the action of the colored citizens of Ohio, Illinois, Massachusetts, New Jersey, Maryland, and New York, etc., in presenting to the United States Congress a memorial asking Government aid in gathering, compiling, and preparing for publication as a public document a memorial history of the colored race in America, narrating its loyalty and service to the Republic, as an act of appreciation by the American people of their fidelity, devotion, and supreme sacrifices on every battle field of every war in which the United States has been engaged.

(And further, explanatory of the above, desires to say:)

The colored race has not available the necessary means to systematically and comprehensively gather and publish the facts concerning their achievements in the United States as a world group and place them before the American people.

That each member of the race feels keenly the handicap suffered thereby, and believes were a full, just, and widespread showing of these facts, narrating the part the race has borne toward building up America on land and sea, placed before the world, it would serve effectually to greatly modify feeling against the colored race and be of inestimable help to it in its battle for a man's chance in the struggle for existence.

Approved by the executive committee of the National Equal Rights League in session Wednesday, December 18, 1918, at Washington, D. C.

Attest: JAMES L. NEILL, *Secretary.*

I also desire to print in the RECORD the following two newspaper articles which indicate the great number of negro soldiers

who fought on the side of the allies in the recent war and the valorous conduct of many of these soldiers under fire. They are as follows:

SHOULD THEIR CASE IN EQUITY BE LAID BEFORE THE PEACE CONFERENCE?

Says the conservative Southwestern Christian Advocate of December 26, 1918:

"The negroes furnished more than 2,000,000 soldiers on the side of the allies. There were nearly 400,000 of our own boys under the Stars and Stripes. France had 800,000 colored troops and Great Britain had 1,161,800 colored troops. Does anyone doubt the significance of this force in the victory of the allies? Is there a man anywhere in the world that would deny to the race that these men represent, since they fought for the freedom of the world, their own freedom in everything that relates to full citizenship?"

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WHEN 124 WERE DECORATED—BOSTON POST SAYS IT WAS AN IMPRESSIVE SIGHT IN PARIS, AND SUCH HEROISM SHOULD OBTAIN FOR COLORED MAN MORE CONSIDERATION IN THE SOUTH.

[From the Boston Post, Jan. 9, 1919.]

That must have been an impressive sight in Paris the other day when 124 colored soldiers of the United States Army were decorated with medals and war crosses "for extraordinary heroism under fire."

There is no color line in the bravery of our fine troops, nor any sectional limits, either. It is stated that these gallant fellows hailed from as many and widely separated States as Massachusetts and Tennessee, Ohio and South Carolina. They were all a proud part of the fighting force of America and they gave their country good reason for pride in them.

Let us hope that the fine share of the American negro in this war will obtain for him more consideration in regions where he does not always get his just deserts.

New Angle on Cotton Contracts.

EXTENSION OF REMARKS

OF

HON. BENJAMIN G. HUMPHREYS,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. HUMPHREYS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include the following article:

[From the Memphis Commercial Appeal.]

NEW ANGLE ON COTTON CONTRACTS.

Mr. J. T. Gooch, of Greenville, Miss., presents a phase of future contracts in cotton that has been little touched upon heretofore in its consequences.

Our people, whenever cotton is down, have a disposition to run to Congress. Then a Congressman or Senator attempts to put some notion into a legislative act. This act or rule may be far away from the trouble.

If the law of supply and demand causes cotton to advance, then the Congressman points to his act as a factor in the advance. If cotton continues to drop another act is suggested.

The price of cotton can not be controlled in Congress. But abuses in contracts can be regulated. The price of cotton can be fairly regulated by the producers themselves, if they determine upon a safe or sane policy, or both, and combine growing cotton with other agricultural industries.

But as to future contracts, Mr. Gooch shows that several hundred varieties of cotton can be tendered on a contract.

If a call is made for delivery of cotton in New York the cotton delivered would be such that is not merchantable. No man could afford to take over a lot of cotton having an infinite variety of grades. Under the system of tendering now in vogue in New York and New Orleans no man would dare to demand 500 bales. He would get cotton of so many intermixtures that he could not hope to close out the lot to a spinner or any other consumer.

Mr. Gooch's letter is so interesting that we print it for the benefit of producers, sellers, and exchanges:

"Anent the resolutions passed yesterday in the chamber of commerce, setting forth the abuse of contract and future trading on the New York and New Orleans Cotton Exchanges, it seems that the 'open season' has arrived for southern commercial bodies to meet and pass resolutions to decrease acreage to cotton and to execrate the members of the two exchanges above mentioned in general and Wall Street operators in particular.

"This has been done with a consistent regularity for the last 25 years until the time has fastened upon us as a tradition. The New York and New Orleans Cotton Exchange members and the Wall Street operators look forward to the occasion with much the same interest that the small boy looks forward to 'fishing time.' Should this 'open season' close without the South sending forth to Congress these annual 'resoluting and execrating' petitions, Congress would be very much surprised and the Wall Street operators would suffer a confusion comparable only to 'shell shock.'

"That the abuse of contract and future trading on the New York and the New Orleans Cotton Exchanges does exist is notoriously obvious, but we of the South, whose interests are so typically at stake, in our just and righteous indignation are execrating a set of gamblers whose interest in cotton values are thoroughly impersonal. We inject sectionalism into our arguments and into our resolutions. We accuse them of selling cotton that does not exist, to people who need it not, in blocks sufficiently large to break the various exchange markets. We accuse them of making 'wash sales' in large blocks in order to establish quotations and disseminate false ideas of value. This is done, openly and admittedly done, but we accuse them of doing these things as if they had secretly done them against us, because we are of the South.

"Divested of all cant, we are appealing to a set of gamblers, whose trade is legitimatized by long custom, not to win and accusing them of doing this when it is done because we are of the South and they 'strafe' us. The truth is they love us. The members of the New York and New Orleans Cotton Exchanges and the Wall Street operators do not care whether cotton sells for 4 cents or 40 cents a pound. What they most desire is for the market to fluctuate, to go up 20 points today, 30 points to-morrow, and then break 40 or 50 points the next day. They love us because we are their asset, their stock in trade. If you are a merchant, do you hate your store? If you are a planter, do you hate your plantation? If you owned a gold mine, would you hate it? No; because it is from these things that you get your profits, your dividends.

"Applying the simile, the New York and New Orleans exchange members and the Wall Street operators do not want to see any calamity befall us of the South, because we are their asset, their stock in trade, their gold mine. As long as we survive they shall not perish.

"And it is not because we are of the South that they hold this feeling toward us. They are running a big game, and they invite the whole world to sit in. They do not care from where you come—Greenville, Savannah, Denver, Seattle, and, further, you can hail from Patagonia, the Valley of the Nile, or the Fiji Islands. They do not care who you are nor what were your antecedents. Their one and only concern is that you sit in the game and be able to put up margins in a grand way. We of the South do sit in on a grand scale; men, women, and children buy futures. We of the South are the favored zone, because we are nearly all customers and have been customers from 'the time whereof the memory of man runneth not to the contrary.'

"If we consistently buy cotton, some one must of a necessity sell it to us, and for them to make money out of this transaction they must just as necessarily put the market down. In order to be able to manipulate the market they must have an advantage that we have likely overlooked; and this advantage that they seem to have over us must be something stronger than hate and more potent than sectionalism.

"Probably this advantage that they have over us in the big game is their 'contract.' Do you know what their contract really is when it is analyzed? Let us look it over.

"There are 13 different and distinct standard grades that can be tendered on contracts. There are 8 different and distinct colors and tinges of each grade; there are 5 different and distinct lengths of staple commonly tendered. So multiplying the 13 different grades by the 8 different colors, and this result by the 5 common lengths of staples, gives you 505 different and distinct classes of cotton that you can tender on contracts. Should you buy 500 bales of March contracts—and at present March contracts are practically the same as spot cotton—the seller could tender to you the 500 bales, and each bale would be a different class staple from any other bale in the 500-bale lot tendered. Such a lot of cotton as this no mill could spin and would not buy, no shipper would dare buy it, no cotton factor would solicit such a consignment of cotton, and should he receive it unwillingly it would take him more than one week to class it out and more than probably five years to sell it all. The only person who would buy it would be a speculator, who would only buy it at a price that he considered far below its value, and with the knowledge that he would have to sell it for less than it was worth to some other speculator, who in turn would have to follow the same process through an endless chain of trading, et cetera. At this writing there is a stock of cotton in New York of 91,500 bales, a very large per cent of which is low grade, off color, and blue tinged cotton. The larger per cent of this stock of cotton is owned by speculators, and especially so of the lower grades and off colors. These speculators, on account of their large wealth, are dignified by the cognomen of operators.

"Should a person buy 100 bales of contracts and demand delivery, these operators could so mix up the grades and staples of the 100 bales tendered, that the contract, merely on account of this mixture of grade and staple, would become nearly valueless from the consumers' viewpoint. This stock of low-grade cotton is carried in the New York stock from year to year and is used as a sledge hammer on the market to intimidate purchasers of cotton. Low ordinary, ordinary, good ordinary, strict good ordinary, and low middling, these being the lower grades that are tenderable on contracts, have value when classed into lots and tendered separately. Being allowed to tender any part of all grades and staples on a contract, depreciates the value of the contract to a very large extent, indeed, and gives to the owner of a large and assorted stock of low-grade cottons an advantage in the market that few realize. If this statement is controverted, try to get some member of the New York and New Orleans Cotton Exchanges to explain to you just why it is that March cotton closed at 22.60 cents in New York Wednesday, while on the same day middling cotton in the same market was quoted at 26.07 cents. Let them explain just why middling cotton is quoted over 5 cents above March contracts, the while March contracts are practically the same as spot cotton, and remembering that contract quotations are based on middling grade.

"The Germans are not the only people who carry on a propaganda. As soon as any legislation is contemplated the New York and the New Orleans Cotton Exchange members get very active, showing the southern planter and farmer just where they act as a beneficent stimulus to cotton values. They show to the cotton shippers that these exchanges are a necessity to a conservative course of his business. But again let us look.

"They tender the use of their exchange to the cotton planter and farmer as the most likely place where he can unload the very low grades out of his crop, claiming the demand for this grade of cotton so fickle that it has to be wooed and pursued so delicately that even the exchanges at times can not quite master the situation, and in that event these despised low grades of cotton can find lodgment in their exchanges. These particular brands of despised grades constitute less than 20 per cent of the total crop. In their solicitude concerning the producers' welfare they omit to state that this 20 per cent of the despised low grades that find lodgment with them is carried in stock with the benign purpose of so assorting their contracts and making of them a general mixture to depreciate the contract over 5 cents per pound on the 80 per cent of cotton which this trusting and ever hopeful farmer and planter has sold or has for sale.

"The location of the abuse and its remedy is not at all confusing. The mysticism with which it has been clothed is propaganda pure and simple. Amend the contract of the New York and New Orleans Cotton Exchanges or abate them. These exchanges should be, and can be, made useful instrumentalities of commerce; using their present contract they are nefarious gambling institutions. If they are to serve either the cotton grower or the cotton spinner, their contracts must be so changed as to require the tendering on one contract of 100 bales, cotton of one

grade and staple, though the grade and staple need not be specified in the contract. One hundred bales of cotton of any grade and staple can be used in commerce. One hundred bales of cotton of 100 different grades and staples can not be used except for gambling purposes. If 100 bales of even-running grade and staple would necessitate a volume of business too large for one contract, change the unit of measure and make the contract for 50 bales instead of 100; if this would be too cumbersome make the unit 25 bales. To the cotton trade, regardless of how small the dealer, 100 bales of cotton in evenly classed lots is a small transaction.

"In wheat, corn, oats, provisions and all commodities traded in on exchanges there is a great difference from cotton. There is not in its entirety over three or four grades of wheat, corn, oats, etc., while in cotton there are over 500. The abuse of grain exchange trading to which cotton is subjected can not exist, hence there is no comparison.

"Let us petition Congress, not as southerners, nor confine our petition to southern Congressmen, but rather let us go to Congress with a well-defined corrective and submit it to them, stripped of cant and execrations, and ask them to allow us to submit it to them on its merits. Give them to understand that if our logic is bad, if our conclusions false, we ask nothing. But if our measure is a corrective we ask for legislation as a national economic measure and not a southern one.

"J. T. GOOCH."

EXTENSION OF REMARKS

OF

HON. HENRY B. STEAGALL.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 1, 1919.

Mr. STEAGALL. Mr. Speaker, I wish to place before the House a copy of resolutions recently adopted by the Senate and House of Representatives of Alabama relative to the Government ownership of railroads, telephone, and telegraph lines. The resolutions are as follows, to wit:

House joint resolution.

Whereas Government ownership of railroads and other public utilities is contrary to the traditions and principles of our Government and people; and

Whereas experience has shown that the Government can not operate such public utilities as economically or as efficiently as private corporations; and

Whereas we believe that the interest of the people will be better subserved by a restoration of the railroads and other public utilities to their private owners: Therefore be it

Resolved by the House of Representatives of the State of Alabama (the Senate concurring), That the Congress of the United States take prompt action looking to an immediate return of the railroads and other public utilities now operated by the Government to their owners, reserving such Government control thereof as may be necessary.

Resolved further, That a copy of this resolution, certified by the secretary of state, be sent to each, the Vice President of the United States, the Speaker of the House of Representatives in Congress, and to each Senator and Member of the House of Representatives in Congress from the State of Alabama.

Adopted by the house and senate January 31, 1919.

The action of the House of Representatives of the State of Alabama is of peculiar interest. No State in the Union has experienced a greater agitation of the railroad question than has Alabama, and no State has encountered greater disappointment in the effort to do away with the evils and abuses of private ownership. After several years of discussion and consideration of the question the people of Alabama attempted to secure certain reductions in freight and passenger rates in that State and to accomplish the correction of abuses on the part of the railroad officials in granting passes and other favors and trying to dominate and even corrupt the politics of the State. After fighting out the issues repeatedly the people succeeded in securing the enactment of legislation to bring the relief desired, but the railroads enjoined the State and inaugurated a prolonged contest in the courts, which resulted in a compromise, thus thwarting the will of the people of Alabama. It would seem if any State in the Union could be found to oppose a return to private ownership, with all the abuses and evils which we have never succeeded in eliminating, Alabama would be one. Yet we find both houses of the legislature of that State urging a return to private ownership. There can be no explanation for this except that they regard the new régime as worse than the former, and I think that the expression of the people of Alabama through their senators and representatives may be fairly regarded as typical of the sentiment throughout the country.

Of course, we were all willing to have the Government operate the railroads during the period of the war and as long after the cessation of hostilities as necessary to wind up affairs in connection with the conduct of the war. When we were in the death struggle with Germany and our boys crossing the ocean in millions, and dying by the thousands upon the fields of France, every patriotic Member of Congress was ready to go the limit to organize the resources of our country in order to support and sustain our forces at the front. The people of the country fully approved of our action, but it was distinctly understood that Government operation was to be only temporary and would terminate when the military necessity ceased. I contend that we are bound in good faith to make good our assurances and that the Government should return the roads in accordance with the understanding upon which they were taken over.

We can not in good faith and consistency take advantage of the power that was intrusted to the Government thus temporarily to fasten public ownership as a permanent policy nor even to continue experiments. We should do just what we said we would do, and that was to use the roads to win the war and then return them to their owners. When this is done the advocates and opponents of public ownership will have a fair opportunity to fight out the contest on that proposition.

When it was proposed to take over the roads it was insisted that among other advantages to be gained the Government would be able to effect a saving by consolidating management and other economies. But what are the facts? Notwithstanding a burden of approximately $600,000,000 has been added in six months, from July to December, in freight and passenger charges through the raise in rates, the Government has sustained a loss of approximately $200,000,000. So it will be seen that instead of effecting a saving there has been, directly or indirectly, a loss of over three-quarters of a billion dollars; and that, too, at a time when the vast increase of business afforded unparalleled opportunity to make a profit. Of course, it will be said that economies will yet be accomplished, but I have no faith in the suggestion. We all know how difficult, if not impossible, it is to abolish or reduce any salary or expense when once fastened upon the Public Treasury.

When we took over the roads we appropriated $500,000,000 to be used as a revolving fund, and now we are called upon to appropriate three-quarters of a billion more, and the advocates of the measure are unwilling to agree upon a time when it shall end except the period of 21 months after the signing of the peace treaty, as fixed in the original act. I am willing to vote for an appropriation to cover all expenditures that have been made and all obligations incurred. This is the proposition embodied in the amendment offered by the gentleman from Texas [Mr. RAYBURN] to limit the present appropriation to $381,000,000. This fund would be sufficient to discharge all obligations and maintain a working capital of $247,000,000 in the hands of the administration, which was the amount heretofore used, and which it is desired to maintain. Without the adoption of this amendment I am unwilling to support the bill. I am opposed, in the present condition of the Treasury, to appropriating $369,000,000 for loans to be made to the railroad companies, and especially without fixing a time when the Government is to be relieved of its burdens in this connection. I want to see the activities of the Government simplified and reduced rather than multiplied and enlarged. I view with great alarm a proposition to increase in such sweeping fashion the centralization of power in the Federal Government and to fasten permanently upon its pay rolls the vast army in the service of the railroads. I am opposed to the effort to temporize with this question or evade responsibility, and for these reasons I can not vote for this bill.

The Political Refugee.

SPEECH

OF

HON. MEYER LONDON,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 22, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill H. R. 14746, the Indian appropriation bill.

Mr. LONDON. Mr. Chairman, in a proposed amendment to the immigration law, which I intend to discuss when it will be taken up for consideration by the House, there is one particularly obnoxious feature to which I desire to call your attention.

The proposed amendment does away with all exemptions in favor of political offenders.

There is no excuse for such a radical departure from an American tradition which is as old as the country itself.

It will neither be new nor original to say that this Republic had its birth in rebellion against an oppressive form of govern-

ment. The great majority of the men who have built up this country were men who had fled from some form of oppression. They were rebels, bringing with them a love of liberty.

Every revolution in Europe brought hosts of political refugees to this country. With his hatred of oppression being fresh, the newcomer helped to keep alive the ideals of liberty in this Republic and helped furnish that vigilance which is the eternal price of liberty.

This is the worst possible time to shut the doors of America to the political refugee. We may expect many a political offender in European countries within the next few years. Quiet and contentment can not be established by a fiat of the peace conference. There are too many new forces at work. Economic, social, and national values will be undergoing a revision and revaluation. There will be new governments galore, and each government will during its brief hour of authority contend that it is the very best government in the world and that its opponents are enemies of society. It will be a hard time for the minorities.

The Committee on Immigration argues that it owes a duty to the country to protect it against the influx of Bolshevist ideas and Bolshevik propagandists. I need not dwell on the futility of legislating against the spread of an idea. If there is anything sound about an idea, if it can in any way be adapted to the needs of the people, if it can hold out any hope for the future, it can not be shut out by any artificial rule. You can not bar an idea by restrictive immigration laws.

The specter of Bolshevism has frightened the committee out of all sound thinking. Of course, no real effort is made by anybody to understand either the meaning of the word Bolshevism or the significance of the movement which it is supposed to represent.

Reactionaries of all degrees of darkness have been branding every new thought as Bolshevism. What is this Bolshevism that drives so many people mad with fear?

At a convention of the Social Democratic Party held in 1903 there developed a factional struggle as to methods and policies. The group which happened to be in the majority came to be known as the Bolsheviki, which means "those in the majority." Were we to coin an English equivalent for that word we would use the word "majoritists."

It fell to the lot of the Bolsheviki to take up the reins of government of a country wrecked by a disastrous war and in the agony of a revolution which followed the overthrow of an absolute monarchy. When they took possession of the Government, Russia was neither in a position to carry on the war nor to secure peace.

The contest between church and state, the fight against the elements that were seeking to restore the monarchy, the bitter class struggle between the large landowners and the peasantry who wanted more land, the superabundance of theorists, the attempt to build on the ruins of an autocracy the most advanced form of political and industrial democracy, the disastrous Brest-Litovsk treaty, the blockade which is still carried on by the allies and which prevents any hope of rehabilitating her industries, the presence of foreign armies on her soil—all these things would have broken down the best organized form of government.

Like the word "bolshevism," its methods are peculiarly Russian. It is impossible to apply the methods used in the desperate moments of a revolution in a country ruled for a thousand years by an absolute monarchy to a country with nearly 300 years of development of political institutions.

And then it is so hard to get at the facts. It will take decades before the world will know the real part played by men or parties in the present world crisis. Several of the very best periodicals in America, such as the Dial, the Nation, the New Republic, and such Socialist publications as have not been crushed, have been trying to present an historical analysis of the soviet form of government. The Nation has recently published the constitution of the Soviet government, a number of decrees and laws, including a comprehensive marriage and divorce law, as well as a series of documents which shed a great deal of light on recent events in Russia. The average man is impressed, though, by screaming headlines, by reports of the grotesque and the unimaginable.

This unreasoning dread of Bolshevism only shows the utter incapacity of our present statesmen to solve American problems in an American way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. May I have five minutes more?

Mr. CARTER of Oklahoma. I yield five minutes more to the gentleman.

Mr. LONDON. In connection with this, Mr. Chairman, I wish to point out the necessity of repealing without delay the laws which were enacted under the hysteria of war and which curb the freedom of the press and destroy freedom of speech.

No country can live when men are afraid to speak the truth. You can not obtain the truth unless men are free to speak. I repudiate the doctrine that the minority is necessarily wrong, or that the minority is necessarily disloyal—a doctrine recently proclaimed by a noisy fool before one of our committees. How is a representative government to live unless every man is free to express his views on all subjects affecting the welfare of the country? How can there be an exchange of thought, how can thought be shaped or expressed unless men are free to give utterance to their opinions? And if every man is to hold his ear to the ground and try to determine in advance what a majority will think, or what a majority will say, there will never be any thought worth while.

The world has been moved forward by strong minorities. The most men love comfort more than they love liberty. They love to be thought well of by their neighbors. And one of the best ways of being thought well of by your neighbor is to agree with your neighbor. The very words "like" and "unlike" illustrate that. One dislikes another because he is unlike, because he is different. A free country can not live without a free press. In some of the sections of the country those who happen to be temporarily in authority are now committing all sorts of outrages against the law in the name of the law. In the name of the law people are prohibited from speaking, and in the name of the law people are prohibited from assembling, just because they might say something that will not be popular. Well, if it is not popular to-day it may become the ruling thing 25 years hence.

Men should be given the opportunity to speak their thoughts. I hope this Congress will repeal before this session is at an end the laws which curb the freedom of the press and freedom of speech. Let us forget the hatred and the bitterness of the war. Let us begin and build anew; not only build the rest of the world, but build a better America. If America is to be good, it must always try to be better. We can only build well upon the foundations of freedom of the press, freedom of thought, and freedom of speech, and upon respect for the rights of the minority.

Smashing to Victory.

EXTENSION OF REMARKS

OF

HON. FREDERICK C. HICKS,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 14, 1919.

Mr. HICKS. The appeal—

IN FLANDERS FIELDS.

In Flanders fields the poppies grow
Between the crosses, row on row,
That mark our place; and in the sky
The larks still bravely singing fly,
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved; and now we lie
In Flanders fields.

Take up our quarrel with the foe.
To you, from failing hands, we throw
The torch. Be yours to hold it high.
If ye break faith with us who die,
We shall not sleep, though poppies blow,
In Flanders fields.

—Lieut. Col. John McCrae.

On this winter's day, when the implements of warfare are already rusting upon battle fields but yesterday the scene of savage carnage, we give our heartfelt thanks for the blessings of peace—blessings achieved in large measure by the matchless courage and the superb bravery of our own boys and by the unflinching spirit of devotion and determination of our people at home. With the glorious triumph that has come to American arms on land and sea, we say to every man in the service, to the men in khaki and the men in blue, to each one from seaman to admiral, from private to general, those who were on the firing line as well as those who did not have the opportunity of going overseas, that your heroic deeds and your sacrifices have been appreciated by a grateful country. For all time you have earned the gratitude of the Nation in maintaining the great principles of our Republic and the prestige of our flag.

Mr. Speaker, in the time allotted me to-day I desire to relate some of the things I saw on the "firing line" last summer during a trip I made overseas as a member of the Committee on Naval Affairs. As my narrative is entirely too voluminous for oral presentation, I will ask the House for the privilege of extending my remarks.

Our official party consisted of Congressmen PADGETT, RIORDAN, HENSLEY, CONNELLY of Kansas, OLIVER of Alabama, VENABLE, WILSON of Texas, BUTLER, BROWNING, FARR, MUDD, PETERS, and myself. Leaving Washington July 13, the next morning we boarded the U. S. S. *Arkansas*, lying off Old Point Comfort. This dreadnaught, Capt. Bullard commanding, had been detailed to join the allied fleet stationed in the North Sea. From the time we weighed anchor until our ship passed the last net in the harbor of Scapa Flow, 11 days later, the vigilance of the officers and crew was not for a moment relaxed. To provide additional protection against submarine attack, the ship's head was altered every two hours, the course followed being a prescribed zigzag, alternating right and left, and paralleling the base course at regular intervals. In readiness for attack, two of the big turret rifles and four of the secondary battery were manned night and day, the crews at station beside the guns and down in the ammunition chambers. Although no submarines were sighted, several shots were fired at suspicious objects, as the captain took no chance, believing that the best policy was to fire first and inquire afterwards.

The day before reaching our anchorage three British ships met and convoyed us to Scapa Flow, the great British base in the Orkney Islands. Here we were received by Capt. Guy Gaunt, of the Royal Navy, detailed by the First Lord of the Admiralty to act as our official escort. In the days which followed, his courtesy, consideration and thoughtfulness endeared him to every member of our party. During our stay in Great Britain and Ireland we were the guests of the British Government, receiving many generous and distinguished courtesies, and being afforded every opportunity of securing complete information on war activities.

Our first inspection was the mine-laying plant of our own Navy, at Inverness, Scotland. This important work was under the supervision of Admiral Strauss, who had in his command here and at Invergordon, another station, several thousand highly skilled men engaged in fitting up and adjusting the mines and planting them in the great barrage being laid across the North Sea. This project, conceived by American daring, called for the sowing of some 70,000 mines in a vast belt 24 miles in width and 234 miles in length, extending from Scotland to Norway. Owing to the great depths between the coasts, in some places 800 feet, a specially designed mine had to be used. Ten vessels were employed in this dangerous work, each fitted with appliances and machinery enabling them to plant mines at the rate of one every 12 seconds. Although this barrage, constructed largely by our own Navy, with the British Navy acting in hearty cooperation, was completed only a short time before the signing of the armistice, yet it is estimated that at least 10 German submarines were caught in it.

Nineteen miles from Inverness is Strathpeffer, noted for its medicinal springs. Here a completely equipped naval hospital had been established for the care of our sick and wounded. At Leith, near Edinburgh, was another great naval hospital fully manned and provided with all necessary appliances. These two hospitals had a capacity of about 1,200 beds. In many places near Edinburgh we saw barbed-wire entanglements and trenches, constructed at the outbreak of the war for the defense of the city in case the Germans effected a landing, but happily these trenches were never needed, for the British at all times held the supremacy of the sea. Near Leith we inspected a British Navy ambulance train equipped with kitchens, dispensaries, and every convenience for the comfort and treatment of sick and wounded sailors. To avoid the discomfort of moving men from one bed to another, cots with springs and mattresses had been devised, which could be carried by stretcher bearers. The wounded men were placed on these cots, carried on board the train, and then removed to the permanent hospital without change. The cots were so constructed that in the daytime, if need be, they could be converted into lounges.

The cordial cooperation between the American and British Navies, so pronounced everywhere, was especially manifested in our hospitals, where the sick and wounded of the British Navy were cared for with the generous consideration shown our own boys, and the British hospitals reciprocated by extending the same courtesy to the boys of the American Navy.

At Edinburgh we were accorded a review of the British Grand Fleet, anchored in battle array in the historic Firth of Forth. Five American dreadnaughts—*New York*, *Texas*, *Delaware*, *Wyoming*, and *Florida*—under the command of Admiral Rodman, a fighting commander, formed a division of this mighty armada. It is a pleasure to record the many tributes of praise bestowed by Admiral Beatty and his officers upon our squadron. Again the splendid spirit of cooperation between the two navies was fittingly expressed by Admiral Rodman, "that it was not two services of two countries, but one service of two countries."

These double lines of gray ships, with steam up and crews at guns, were ready to do battle on the instant word came for action. Never before had the world seen such a stupendous concentration of sea power, never before had the world witnessed such an ignominious surrender as followed in a few short weeks, when a great enemy fleet, the second most powerful navy on the seas, struck its flag without firing a shot. That victory, although silent, was complete and absolute, demonstrating the unquestioned importance of naval strength by the results achieved throughout the period of hostilities and by the events leading up to the culmination of its supreme power.

In London we were received by Admiral Sims and his staff, who extended every courtesy and offered us a detailed review of the work of his department and the requirements of the service. We can not laud too highly the admiral and the officers and men under his command for the efficient and comprehensive manner in which they carried forward the overseas operations of the Navy. We were entertained by Admiral Sims at the American Officers' Club in Chesterfield Gardens. Upon the entry of America into the conflict, Lord Leconfield placed at the disposal of the officers of the American Army and Navy his magnificent house Mayfair, superbly furnished and equipped. With no dues, fees, or obligations of any description, with the only requisite for membership the uniform of an American officer, this club attests the hospitality of our British allies and the generosity of its sponsor.

The admiral showed us the following interesting extracts from a captured German Army intelligence report referring to American troops:

> The Second American Division may be classified as a very good division, perhaps even as assault troops. The various attacks of both regiments on Belleau Woods were carried out with dash and recklessness. The moral effect of our firearms did not materially check the advance of the infantry. The nerves of the Americans are still unshaken.
>
> The individual soldiers are very good. They are healthy, vigorous, and physically well developed, who at present lack only necessary training in order to make them redoubtable opponents. The troops are fresh and full of straightforward confidence. A remark of one of the prisoners (a marine) is indicative of their spirit: "We kill or get killed."

I regret time does not permit me to speak in detail of the cordial receptions tendered us by the King and Queen and the officials of the Government in Scotland, England and Ireland. Wherever we went we found only praise for all that America was doing, and the strongest desire for cooperation in the prosecution of the war.

Ambassador Page, although at that time a sick man, was at his desk, as he had been through all the trying days of four years of war. Little did we realize then that he was so soon to receive the call to a higher post, and when the news came of his death it was a shock to everyone who knew and appreciated his sterling character. In the passing of Walter Hines Page the Nation lost a distinguished diplomat, his associates a brilliant leader, his companions a generous friend.

We visited the British naval base at Dover, under the command of Admiral Keyes. From Dover operations were conducted against the German submarine activities in the North Sea, and it was from here that the daring attack was made last spring against the German bases at Ostend and Zeebrugge.

Near Dover was the Capel air station, from which aircraft were sent to guard the troopships crossing the channel, and we had the pleasure of making a flight in one of their large Blimp machines. Harwich was another important naval base, both for destroyers and aircraft, and here we had an interesting experience. As we were at lunch on the flagship, a carrier pigeon brought word that a British aviator had gone down in the channel and had been picked up by a Dutch vessel. Immediately a destroyer was ordered to the rescue. In the meantime we were taken up in one of the large seaplanes, from which we followed the course of the ship as it went out of the harbor in search of the daring pilot.

At Queenstown, Ireland, our Navy operated both a destroyer and an aviation base. This important station was under the command of Admiral Bayley of the British Navy, and the operations conducted from this point by the British and American forces, covering a wide area, were most comprehensive in scope. One night our committee attended an entertainment as guests of the enlisted personnel, where the entire program was arranged and produced by our bluejackets. The real merit of the performance attested the high character of the men in the naval service.

Just back of Queenstown, in a quiet valley, surrounded by the cultivated fields of the Irish farmers, is the little cemetery where sleep the victims of the *Lusitania* tragedy. With bowed heads we looked upon their graves and with sorrowing hearts read the inscriptions which told of their untimely deaths—deaths which struck at the conscience of humanity; deaths which aroused a Nation and carried it forward with a unity of purpose to render it impossible for crimes such as these ever again to mar the pages of history. Such deaths were not in vain. One inscription told of a mother and two children who lost their lives on that fatal day. On another stone was this pathetic legend:

Alfred Scott Witherbee, jr.
Born June 27, 1911.
Died May 7, 1915.
A victim of the *Lusitania*.
Foully murdered by Germany.

Several times while in London we visited the famous Eagle Hut, just off the Strand. This canteen, under the care of the Young Men's Christian Association, was self-supporting. It was equipped with 270 beds, the charge for which, with clean sheets and pillows for each occupant, was 18 cents per night. In the restaurant, during July last, a daily average of 2,700 meals were served, the charge for a table d'hôte dinner, consisting, for example, of American hash or liver and bacon, potatoes, cabbage, and pie or pudding, was 16 cents. Meals à la carte were in proportion; bread and butter was 2 cents, potatoes 3 cents, coffee 3 cents. A real soda-water fountain probably was the most popular piece of furniture in the building, where ice-cream soda could be bought for 6 cents. Reading, billiards, lounging, and bath rooms were also attractions much enjoyed and appreciated by the boys. Over the fireplace in the main room this motto, composed by one of the men, was displayed:

America has kept her word
And been to freedom true.
The answer all the world has heard
Because of such as you.

Before leaving London we had conferences whith Sir Eric Geddes, of the Admiralty, and also with Prime Minister Lloyd George, discussing with these two leaders of thought and action various phases of the war. It is needless to say that these gentlemen, each eminent in his line of service, impressed us as being men fully capable of handling the many problems confronting them. Mr. Geddes was loud in his praise of our Navy, saying: "The dauntless determination which the United States has displayed in creating a huge, trained body of seamen out of landsmen is one of the most striking accomplishments of the war. Had it not been effectively done, one would have thought it impossible, but words fail me to express our admiration of this feat undertaken and accomplished by your Navy Department."

Mr. Lloyd George was also very emphatic in his appreciation of our efforts, telling us that "the allies have been cheered by the splendid fighting of the Americans." A few days after our call he paid in Parliament this tribute to the American soldiers:

It is not merely that they fought with courage—everyone expected that of the American Army—but they have fought with a trained skill that no one ever expected or had a right to expect. The men are brave, but the officers, who, after all, are not trained officers in the ordinary sense of the term, have shown skill and knowledge and management of their men under trying conditions which you could hardly expect from men who have not had a good deal of the experience of war.

That is one of the most remarkable facts in the fighting of the American Army.

It was a keen personal pleasure for me to renew the friendships of the previous year with Mr. Beal and Mr. Littlefield, of our embassy, whose great courtesy our party so fully appreciated. I was again the recipient of much kindness extended by Mr. Ian Malcom, M. P., whose work with Mr. Balfour and in connection with the British Red Cross is of distinguished merit.

London last summer was the same London as on my visit in the fall of 1917—the darkened thoroughfares, the restrictions regarding open blinds at night, the same crowded streets thronged with soldiers, the dearth of automobiles, and scarcity of food. In fact, food was less plentiful at the hotels last summer than the year before, and I venture to say it was the same elsewhere. No sugar served at all, the only sweetening being sirup; which while making an indifferent oatmeal, renders coffee anything but coffee. Bread and meat could be obtained only on ration tickets, and then simply in small quantities. Butter and cream were never seen, and, of course, pastry and other delicacies existed only in the memory of other days.

In this connection let me tell the story of a man who went into a restaurant in which an American negro was employed as waiter. The hungry customer ordered beefsteak, cream potatoes, ice cream and cake, with plenty of bread and butter. The darky looked at him in bewilderment, and then exclaimed, "Say, boss, is you givin' a order or jest reminiscin?"

If material things in London showed no change, there was a notable difference in the morale of the people. The gloomy anticipations of 1917, coupled always, however, with unabated determination, had given way to a buoyancy of spirit and a confidence which bespoke certainty. It permeated every walk of life. The weary weeks of dread following the inauguration of the great drive had been broken by the brilliant victories of the allied armies; the submarine menace was in check; the Americans at last had come; Belleau Wood and Chateau-Thierry had been fought and won; Paris was safe and Foch was on the offensive. Now it meant only a little more sacrifice until the triumph would be complete.

I regret that opportunity does not permit me to speak fully of the achievements of Great Britain in this conflict; but let me say that the men of English blood and of Scotch and of Irish and of Welsh blood and the men from the colonies overseas fought in this conflict like the bulldogs which they are, and that the people of that great Empire gave of their substance and of their blood without stint and without reserve.

The Paris of August, 1918, was vastly different from the Paris of the previous year. In 1917 the German lines were far removed, and the French capital, while always apprehensive, had neither experienced the destructive air raids nor been subjected to the bombing of the big Berthas. On my former visit the streets, although filled with soldiers, were almost normal, and business went on practically as before the war. Last summer, however, all was changed. The long-range guns, with tragic frequency were finding their victims by day, while the night was filled with terror by bombs dropped from the overhanging darkness. As in London, the street lamps were dimmed, and one had to grope his way along the darkened thoroughfares. When the big guns started their deadly work the missiles would fall with such regularity that one could almost set his watch by the explosions of the shells. From the church steeples and other towers, huge sirens warned Paris of an attack, and throughout the city, along the boulevards and in the side streets, were the significant signs "Abri," denoting subterranean shelter. We saw many places where these shells had wrought their destruction, the most tragic of all being the Church of St. Gervaise, within whose sacred precincts on Good Friday, nearly 100 persons were killed and mangled.

Although the drive on Paris had been stayed and the tension of the French somewhat relieved, yet the battle line was too close for complete security; the awful dread of the few short weeks before when the imperial army was only 40 miles away had not entirely passed. The thousands who left Paris when the capture of the city seemed imminent had not returned; and while the spirit of the people was one of elation and confidence in the smashing offensive of Marshal Foch and the allied forces, there was the possibility that the tide might turn, and above all was the seeming certainty that the conflict with its toll of death, suffering, and privation would drag on for many weary months.

Our first official visit was made on Ambassador Sharp, our representative, who throughout the war had remained steadfastly at his post, rendering invaluable service to his country and his countrymen, and by his ability and courtesy holding the esteem of the French people. We paid our respects to President Poincare; Mr. Leygues, minister of marine; Mr. Pichon, minister of foreign affairs; and Premier Clemenceau. Mr. Clemenceau, most aptly styled the "old tiger," gave us a hearty welcome. There was no doubt in his mind of the ultimate result, no question even of a speedy conclusion of the struggle, and he was backing the forces at the front with all his fiery zeal and indomitable will. He was the man of the hour, carrying the whole nation with him as it hurled its all into the final drive. "Yes," he said, "we do not know what would have happened to Europe had it not been for America; it saved civilization." In answer to a query what would the next move be if the allies captured a certain place, he replied: "It is no longer if; it is we will take it."

One afternoon I had the pleasure of calling upon Maj. Roosevelt and his brother, Capt. Archie, each convalescing from severe wounds, and both fretting over the delay in getting back into the line.

By train we went to Bar le Duc, and thence by motor along the famous victory boulevard to Verdun—Verdun, immortal Verdun, the rock of destiny, guarding the passage of the Meuse on the eastern frontier of France. We were greeted at the portals of the citadel by Col. De Hay and his staff, who escorted us to Marre Hill, from which, across the valley, we could see the German lines. The artillery on both sides was maintaining an erratic bombardment. Now a German shell came screaming from the farther hills, to be answered by the French guns from

their positions just back on our right. All day long for weeks and months and years these guns have been hurling their projectiles on these scarred heights. We were on the crest of a hill, hidden in an old redoubt, and were under observation of the enemy, therefore in passing to and from our place of concealment were obliged to walk singly and far apart, so as not to attract attention and invite a shell, for the Germans are very careless with their artillery, and a group of persons, even of Congressmen, would be considered worth taking a shot at.

While we were watching this drama, a French plane flew over our heads, bound for the German lines. When it came within range the enemy antiaircraft guns opened upon it. Shot after shot was fired, the grey spots of the exploding shells smudging the sky about the machine, but luckily none struck home.

The city of Verdun is a desolate ruin, not a house but shows the work of German destruction. Streets piled high with débris of twisted steel, charred timbers, crumbled bricks, and broken stones, are abandoned and silent. It is a veritable city of the dead, closed to the outside world. Demolished shops and vacant homes, desecrated churches and shattered schoolhouses, tell the story of the avalanche of steel and fire which swept this defiant city into a holocaust of ruin and despair. Here and there flowers, perpetuating memories of happier days, brightened the gloom of desolated gardens, and vines still cling to the broken walls as if nature by her gentle mantle sought to hide the ravages of war and shame the savagery of man's wanton destruction, contrasting the brilliancy of her blossoms with the darkness of vacant homes and sorrowing hearts.

The stately palace of the archbishop is a battered wreck of its former splendor, strewn with the sacred furnishings of a house of God. It was here that the Crown Prince had decided to have his banquet in celebration of the fall of Verdun! Strange how many dinners of the imperial conquerors remain uneaten! As we were picking our way among the fragments of holy figures, broken glass and pieces of exquisite carving accumulated in the courtyard, a group of 14 French planes passed overhead on their way to Metz. The machines, in regular formation, whirled through a thin cloud of vapor, each making a path as if a snowplow had swept the course.

The great church of St. Sauvier and the massive cathedral have met the same fate of the palace, and their ancient glory is lost forever. That evening a few of us wandered through this twentieth century Pompeii, where the only sound was the fall of our steps upon the broken pavements, and the only sight empty windows and darkened doorways. Where once the light of happy homes pierced the night, now only gloom; where once the laughter of children echoed their happiness, now only the rustling of the wind as if moaning a requiem over memories buried beneath the vengeance of German guns. In the sky an observation balloon flashed its signals to the forts below; but no cannon answered, and silence reigned along the battle line and in the city, which through all the anguished days of blood and terror stood steadfast in its defiance, "They shall not pass."

We slept that night in the citadel, deep down in the recess of the rock, and in the morning went out to Fort Souville, and then to Fleury, St. Douamont, and beyond, tracing our way among the most awful scenes of destruction it is possible to imagine. In places the German lines were only a few hundred yards distant. It was on these hills which surround the city like a great necklace, 30 miles in circumference, and in these valleys and on the farther heights, that the battle of three years ago was fought—square mile after square mile of ground, every inch of which has been torn by shell and consecrated by the blood of those who fell in its defense. Helmets, rifles, masks, grenades, shells, and broken wheels strewed the land as far as eye could reach. I pulled a helmet out of the mud, and there, wedged in its steel case, was the rotting head of a German soldier; a boot encased a leg of decaying flesh and crushed bone.

Let me refer briefly to the history of Verdun, famous since the days of the Romans. In the time of Henry II it was conquered for France, and under Louis XIV, Vauban, the eminent engineer, constructed his elaborate system of bastions, ravelins, and moats. In the war of 1870 Verdun made a stout resistance, and fell only when supplies failed. Since those fateful days it has been one of the principal bulwarks of eastern France, guarding the crossing of the Meuse on the main line of advance from Metz, only a day's march distant, to the passes of the Argonne and the upper Marne Valley. Here the road from Paris eastward meets the highway running along the river valley, and here five railroads have their junction. Its commanding situation prompted the French to make this the strongest of their frontier posts. The surrounding hills in a long circuit were fortified with redoubts, forts, and batteries. It represented the highest degree of military skill in the old science of defense, and had not been neglected like Lille and Rheims.

Before the war the forts had been reconstructed, concrete and steel replacing masonry and earthwork. Guns of heavy caliber, mounted in sinking turrets after the Brialmont system, had been installed. Within a few weeks after the outbreak of hostilities the city was almost invested by the armies of the Crown Prince, but the French victory at the Marne compelled the Germans to retreat. For months following there was no serious attempt to capture Verdun, the objective of the Crown Prince being to sever French communications by advancing his lines southward in order to effect a junction with the German Army at St. Mihiel; but in spite of all attempts, the city and its forts remained a great salient. Baffled in their plans to isolate Verdun, the imperial high command decided upon a direct attack.

On February 16, 1916, the German guns opened fire in a desultory manner, and in anticipation of what was to follow, the city was evacuated by its civilian population. Early in the morning of February 21 the real siege began, a bombardment never before equaled in all history. Artillery, with guns ranging in caliber from the 4-inch to the powerful 13-inch, massed with wheels touching, hurled their missiles in a deluge of steel upon the French lines. Trench after trench was blotted out and mangled men by the thousands lay slaughtered on the slopes. The very hills lost their form beneath that terrific attack. Then the German infantry, 14 divisions strong, swept forward; 230,000 bayonets were concentrated to complete the work of the shells in the capture of the city. Barrage charge, counter attack, bombardment followed in succession as the lines swayed back and forth over ground already piled high with dead and dying men. Torrents of shrapnel, high-explosive shells, liquid fire and asphyxiating gases fell upon the dauntless French as they were slowly driven back.

By the night of February 24 the German lines were pressing against the last positions. This was the fourth day of the battle, the day set by the high command for the victorious entry of the imperial army into Verdun, the day which, due to the matchless courage of the French soldiers, never came. The morning of the 25th was ushered in with a canopy of snow lying upon the death-strewn heights. Both armies knew that the crucial time had come. Each realized that for them the outcome of the next 24 hours would mean either victory or defeat. With the first rays of dawn came the boom of the German guns as battery after battery opened. The whole front soon became an unbroken line of belching fire, each lurid flash a blotch of flame against the leaden morning sky. Individual sounds, at first distinct in the crisp air, became merged and finally lost in one mighty roar of shrieking, whining shells as the cyclone of steel reached its maximum of fury. The sun was blotted out by the clouds of smoke and gas which hung low over the charnel house—funeral shrouds for friend and foe alike.

Then wave after wave of gray-clad infantry of the enemy surged up the hills, to be hurled back again and again in ever-increasing slaughter by the thin line, fighting with their backs to the wall, in defense of homes and for the honor of France. Mangled flesh, headless bodies, and dismembered forms, reeking with spurting blood, lay in gory heaps. The line bent, swayed back in places, but it did not break. Let me quote from a French officer who witnessed the scene from an observation post: "Beyond, in the valley, dark masses are moving over the snow-covered ground. It is German infantry advancing in massed formation to the attack. We telephone through to the batteries, and the ball begins. The sight is hellish. In the distance, in the valley and up the slopes, regiments spread out, and as they deploy fresh troops come pouring in. There is a whistle over our heads. It is our first shell on its way. It falls in the middle of the enemy infantry. We telephone, telling our batteries of their hit; then a deluge of heavy shells pours on the enemy. Through glasses we can see men maddened, men covered with earth and blood, falling one upon the other. The first wave of the assault is decimated—the ground is dotted with heaps of dead—but the second wave is already pressing on. It tries in vain to get through our fire. It is driven back, and again discovered by our guns; once more our shelling carves awful gaps in the ranks. Nevertheless, like an army of rats, the boches continue to advance. Then our heavy artillery bursts forth in fury. The whole valley is turned into a volcano, and its exit is stopped by the barrier of the slain."

With the French position desperate almost beyond hope, Gen. Petain, one of the ablest and most resourceful of the French fighting commanders, was ordered to Verdun and placed in supreme command. His task, in reorganizing shattered communications and bringing up supports in the face of a smashing offensive flushed with victory, was herculean. He achieved the impossible and saved France. Gen. Petain assumed command in the morning. In the afternoon of the same day came the crisis,

the culmination of the German effort to capture Douamont, the key of Verdun. Imperial orders had been issued that, at all costs, the fort was to be captured, and the attack, under the personal observation of the Kaiser, reached a pitch of unprecedented savagery. He and his generals watched the conflict from the hills known as the Twins of Ornes. So confident were they of victory that word had been sent to Berlin to prepare the capital for a great celebration.

Line after line, the Germans swept over the edge of the plateau in a desperate effort to gain the crest. Again and again they were thrown back by the terrific fire of the French guns. Wave after wave surged up the slopes, broke and ebbed, then recovered and advanced again, only to be beaten back. At last one wave mightier than the rest, a remnant of the Twenty-fourth Brandenburg Regiment, reached the crest and broke through the French trenches. On the right and on the left the French still held their positions, but the fort itself was in German hands. A wedge like a dagger point had been thrust into the French lines. Although their front had been pierced, it had not been broken. To the watching Emperor it meant victory, and a telegram flashed the news to Berlin that Douamont, the key of Verdun, was captured, and the capital decorated itself with flags and bunting in anticipation of a victorious march to Paris. But between those gray German lines and their goal stood the intrepid soldiers of France! True to the traditions of their glorious past, they met charge with charge, attack with attack, bayonet with bayonet, club with club, stayed the avalanche which had piled the ground in places with nine feet of human corpses, and held on; and the victory flags of Berlin, tattered and torn by waiting, became shrouds on the coffin of the Kaiser's dream of conquest.

"That night it was bitter cold and the wounded left upon the fields were corpses in the morning. Looking from the parapets in the faint light each side saw dark figures apparently crawling in no man's land between the lines. At first they suspected a night attack, but soon they saw it was an army of the dead." While the capture of the ruined fort was spectacular, it was an empty victory for the enemy, as that night the wearied lines, which for five days had been beaten back inch by inch, were reenforced. On the morning of the 26th Gen. Petain, swift to take advantage of his fresh troops, launched a counter-attack with the famous Twentieth Corps of Nancy veterans, driving all but a handful of the Brandenburgers from the crest of the heights. These few remaining still held the fort. The next day, with snow deep upon the ground, the combat continued, marking no decisive results on either side. Then came a lull, while the German high command revised its plan of attack.

On March 2 the assault opened upon the western defenses, the objective being the capture of Dead Man's Hill, key of this sector as Douamont was the key of the eastern heights. To prevent the French reenforcing the real point of attack, a drive was made against the Douamont position. By threatening their railroad communications close to the lines, the French were compelled to resort almost entirely to motor transportation for ammunition and supplies. Along the great highway leading north from Bar le Duc to Verdun an endless chain of convoys passed and repassed. This road, so absolutely vital to her success, is now renamed the Avenue of Victory, a fitting appelation, for it carried the might of France to the lines of her defense on the hills beyond. To visualize the scene upon this highway in those grim days and nights, let me quote from a letter written by a French transport driver:

> Each trip represents for us from 15 to 25 hours at the wheel—when it is not 30—and for our lorries 150 to 200 kilometers. This, day and night. On arriving here we did the journey twice daily, almost without stopping—that is to say, 48 hours without sleep and almost without food. Can you imagine what it means to drive one of the lorries weighing 5 tons and carrying an equal weight of shells, with a lorry just in front and one just behind, or driving during a frosty night or without lights when nearing the front? Can you see the driver alone on his lorry, whose eyes are shutting when a shock wakes him up suddenly, who is obliged to sing, to sit upright, to swear at himself so as not to sleep and throw his lorry into a ravine or get it stuck in the mud or knock the one in front to pieces?

From March 2 to April 9 there was almost continuous heavy fighting on both the eastern and western heights. With attacks and counter attacks, in the front and on the flanks, by shell and by bayonet, the tide of battle ebbing and flowing, the struggle for mastery went on. A gain in one place was balanced by a loss in another, but the strategy of the German command had failed, the 4 days which was to witness the capture of the city had become 48, and Verdun still remained unconquered and unconquerable. On April 19 Gen. Petain took the offensive, as the three last efforts made to pierce the French lines were fruitless. Germany, however, was still hopeful of winning a decisive victory that would bring to her side wavering neutrals and delivering a blow which would break the morale of her opponent and compel a separate peace. But the spirit of France never burned brighter than when her armies lay on those shattered heights, weary but unconquered.

On May 3 the Germans renewed the assault, opening with a violent bombardment on the western crests, and the French, to ease the pressure in that sector, made an attack on Fort Douamont. The ruins were captured, only to be retaken by the enemy. There was desperate fighting along the whole line. Mounds of the dead rose above the level of the ground which the living used as breastworks to pile up yet more corpses. On May 20 the Germans, still in possession of Fort Douamont, were within 5 miles of Verdun, and their position afforded them observation of all the intervening terrain. Then Vaux was attacked and captured, and only Fort Souville, 3 miles from the city, remained to stay the avalanche. On June 23 came the great assault against this last defense. One hundred thousand men were thrown into the charge, and Fleury, at its base, passed into German hands. But the tide had spent itself. Human endurance could stand no more, and the German hordes were turned back, beaten and crushed, never again to advance against those ramparts of liberty.

Verdun was saved. France was saved. During all these terrible months the citadel by the Meuse had been for France the watchword of her faith, the pledge of her fortitude, the symbol of her resolution. It was a place apart, a sacred spot crowded with hallowed memories, and its possession was the measure of her devotion. The fame of Verdun will live through the ages, and for all time it will be a shrine where mankind will offer homage to the unflinching courage and supreme sacrifice of the thousands who fell before her gates. Her hills are forever consecrated by the immortal dead.

From Verdun we went to Nancy, passing en route train after train filled with American soldiers and their equipment. These boys were being concentrated on this sector preparatory to the offensive against the St. Mihiel salient, which was in a few weeks to bring such glory to the American Army. Hardly a village but had a camp, and every station was patrolled by our military police. These boys were here in France for just one purpose—to win the war and then return home. They did the one, and now it is our duty—we who sent them on their mission—to see that they do the other. There has been too much red tape in granting discharges, too much delay in demobilization.

At Marboche, about 15 miles north of Nancy, was located the camp of the marines, under command of Gen. Lejeune. Near by, at St. Genevieve, were the headquarters of the Twenty-third United States Infantry, Col. Malone commanding. From an observation point in a cemetery on the crest of a hill just back of the town we looked over into German territory and at a distance could see the buildings of Metz. While we were witnessing a bayonet drill, three French airplanes started to reconnoiter the German lines. They were attacked by the enemy antiaircraft guns. Shot after shot was fired at them, the white puffs silhouetting against the twilight sky. Then range-finding shells were brought into action, the heavy charges making black spots around the machines, but the gallant Frenchmen, rising higher and swerving to the right, then to the left, darting this way and that, passed through the barrage unharmed. There is a fascination, terrible though it is, in these duels of the air, where neither the skill nor the daring of the aviator can guard against a lucky shot.

Throughout the war what heroism and courage has been displayed by the men of this dangerous service, and with what superb spirit have they met the trials and the hardships of their hazardous calling! They are the cavalry of the skies, the crusaders of the heavens, the knights of the air, personifying the chivalry of a forgotten age, with every flight a romance and every victory an epic.

Our soldiers were billeted everywhere, in tents, in barns, in barracks, and in houses. Trained to the minute, they were supremely confident. Mutual agreement and accord is a pretty certain remedy for misunderstanding. If you and I have the same opinion about the same thing at the same time, we will not get into much trouble. So it was with these Yanks. Every one of them knew he could whip a boche, and every boche knew it, too. We heard much about hand-to-hand encounters and bayonet duels. They made flaring headlines in the newspapers, but, outside of trench raids and a few isolated cases, our boys did not have a chance to put their practice into execution. Our lads were there with the short jab, but the Germans did not wait to become acquainted. When they saw the Americans coming for them with heads down, yelling like Indians, they preferred shoe leather to bayonets, discretion to valor.

OUR SOLDIERS WERE UNAFRAID.

Make me a soldier unafraid
When the crucial hour draws near,
That I may play the manly part
And show no craven fear.
For, though the spirit may be brave,
Surprise hath oft betrayed
Through sudden shock of unknown things
And made a man afraid.
One life's a little thing to give,
Legions their price have paid;
So, if mine's added to the scroll,
Write me as unafraid.

—Harry Bryan Owsley.

Do you know that many of our boys have been arrested as deserters? Oh, yes, they have; and you and I, my colleagues, may be called upon to clear their records. We had soldiers stationed all over France—at the seaports and stations far back of the lines. Men, despairing of ever getting into the fight, deserted the colors, and when they were found they were in the firing lines fighting with their comrades!

Along the roads from Nancy to St. Genevieve were line after line of American trucks, all hidden beneath the overhanging foliage, and every grove of trees offered protection to the "pup" tents of the drivers. I asked one man how he fared. "Oh," he said, "after we see what these French people have to stand we don't say a word and think we are getting good treatment, for we all have homes to go to." I called out to a group to come home with us. "No," they yelled; "we won't go back till we've finished this job, and finished it right."

Gen. Boyle, at headquarters, related his experience with a German officer, a prisoner who was brought before him for examination. After the customary small talk had been exhausted, he asked him: "Well, what do you think of the drive at Chateau-Thierry?" "Oh," said the German, "that was a small affair; but do you think you can drive us to the Rhine?" "No," said Gen. Boyle; "we expect to drive you to Berlin." A hazy, incomprehensible expression came over the German's face, as if such a possibility had never dawned upon him. The general then asked him what he thought of the American soldier, to which the German replied, "Mein Gott; the artillery!"

While we were at headquarters several German airplanes passed overhead on their way to raid Nancy. Rockets flashed in the night to warn the city of their approach. Through deserted streets, along black roads, passing dark houses, with no lights on our cars, we journeyed back to the city. On the way I experienced a shock, although comic after realizing the cause, it was very intense and startling at the time. Having been listening to thrilling accounts of battles, and knowing that German planes were somewhere overhead, our thoughts had a keen war edge. We were in an open car when suddenly, in response to a suspicious sound, I looked up, and there only a few feet above me was a huge black object which in the darkness looked for all the world like a descending bomb. I confess I was frightened. No use for me to deny it. I felt that in a moment there would be a vacancy in the first New York congressional district. How we laughed when we found that the deadly bomb was only an innocent electric light suspended across the street! Our driver lost his way, and we spent a full half hour trying to locate our hotel. With streets in total darkness, with every window closed, every door barred, and with no one astir, it is not an easy problem to find one's way at night in these cities close to the firing line.

Returning to Paris we started for the headquarters of the American Expeditionary Forces at Chaumont, 165 miles distant; the route traversed a beautiful country, rich and fertile and free from the terrible scenes of war. Plentiful crops of wheat, alfalfa and hay were being harvested, German prisoners laboring in the fields with the women and old men. We were greeted by Gen. Pershing and his staff, lunching with him in a chateau which had been placed at his disposal by a French family. He talked to us very freely of war conditions and expressed unlimited confidence in the men under his command. In his mind there was absolutely no question of the superiority of the American soldier over the German. He said they were superior in organization, in training and in fighting qualities, and that as "every American naturally thinks he can lick anyone, the Army represents this concentrated confidence."

Not far from Chaumont is the little Normandy town of Domremy, the birthplace of Joan d'Arc. In this quiet hamlet is a training camp for our soldiers, many of whom received added inspiration in their fight for liberty from the story of the life which began in the humble cottage 500 years ago. There in that little room where the heroine of France first saw the light of day, is the rough bed on which she slept, the cupboard, and a few chairs—personal mementoes of one who, freeing her beloved country from invading hosts, died neglected and deserted, a victim to the superstition and the hypocrisy of the age.

What memories crowd this quiet chamber; what sacred associations of the past. Holy inspiration, chivalry, and romance lead onward to the pathos and the agony of a friendless girl, sublime in her faith, standing alone at the stake in Rouen. I looked out of the narrow window toward the hill on which stands the chapel to commemorate her vision of long ago. What a wonderful inspiration it was that came to this child of immortal name. "Yes"; said the Frenchman standing by my side, "yes; that was a marvelous vision and she was the savior of France; but the spirit of Joan still lives. There are the saviors of France of to-day," and he pointed to the American soldiers.

Joan of Arc! Joan of Arc!
Do your eyes, from the skies, see the foe?
Joan of Arc! Joan of Arc!
Let your spirit guide us through;
Come lead your France to victory;
Joan of Arc, they are calling you.

From Chaumont we returned as far as Meaux, making in the day's run over 310 miles. But for the excellent condition of the roads it would have been utterly impossible to cover such a wide radius, and these highways are typical of all the roads in France, even those leading up to the battle fronts, subject as they are to constant use by artillery and heavy trucks. One secret of success was this maintenance of lines of communication, enabling the War Department at all times and under all conditions to forward supplies. In our journeys we frequently stopped at villages for gas and water, and whenever doing so our cars at once were surrounded by French people, who showed their appreciation and gratitude by crowding around us and thanking us for America's participation in the war. Pathetic in the extreme were the old French women whose sons and grandsons had gone to the front, many of them never to return, as they endeavored to kiss our hands. The little children in their enthusiasm and joy touched our garments, exclaiming "Americans, the saviors of France."

It was almost 1 o'clock in the morning before we reached Meaux, and just as we were approaching the city we had quite a fright. While driving along the road, with the headlights of our car burning, we were obliged to stop for a tire puncture, and what was our surprise to hear almost directly overhead the peculiar and unmistakable whirring of a German airplane. The boche machines made a sound different from those of the allies, the rhythm of the engine being uneven and easily detected. It was short work extinguishing our lights and jumping into the ditch. Not having noticed the enemy until we stopped, we scattered in all directions, for fear the German aviator had noted our position and would swoop down upon us with his machine gun. I can assure you it was with feelings of relief that we heard the exhaust of the engine grow fainter as it passed on to the north. We learned afterwards that a squadron of these raiders had visited Paris that night, and this probably was one of these machines on its way homeward. Out there in the dark, with no protection whatever, expecting every moment to see the blackness pierced by the flash of a machine gun, I know we all experienced sensations not easily forgotten.

From Meaux we proceeded to La Ferte, where a motor-transport company was camped. Here we spent about an hour with the boys, and I was fortunate in meeting several from Long Island. We had our first sight of the battle fields on which American soldiers had won such imperishable fame at Lucy and the villages around Chateau-Thierry. On every side were signs of slaughter. There shattered buildings, broken and twisted trees, and blasted slopes, with the ground ripped and torn by machine-gun fire. Here fields, acre upon acre, pitted and scarred with holes, like craters, the mark of high-explosive shells. Scattered about or heaped in piles lay all kinds of equipment—torn pieces of uniforms, broken gun carriages, unexploded shells and grenades, bayonets, helmets perforated with ragged holes, bent rifles, gas masks, and twisted machine guns with belts of unused ammunition. Here, too, were the crude graves of the immortal dead, each marked with a cross, bearing silent but eloquent testimony of how upon these battle fields, American soldiers had struggled and conquered and died. Such destruction, desolation, and ruin! What once had been prosperous villages, now only heaps of débris; where houses had stood, now only piles of crumbled stones and broken tiles. Demolished churches, battered pavements, wrecked homes, tell of the terrible havoc of those grim July days when our boys held the line in the defense of Paris.

Let us go back a few months in history and recount briefly the stages of the German offensive which had for its objective the dividing of the allied armies and the capture of the French capital. With the collapse of Russia and the establishment of new frontiers on her eastern borders, Germany was in a position to concentrate her forces in a last desperate effort to break

through on the western front. Time was now running against her, for with economic conditions in the empire daily becoming worse and with America marshaling her enormous resources of men and material, Germany knew that her only chance to win was by one all-powerful drive, smashing through before a revolution would defeat her at home and before America could place in the field her millions of fresh soldiers.

The troops stationed on the Russian line were transferred to the west and from Austria were brought large quantities of war material. All were thrown into the desperate gamble. Superior in men and artillery, the long-expected attack began on March 21, with the main blow directed against the British Fifth Army in Picardy. In a few days the whole British front from Ypres to Amiens was assailed by the most savage attack of the war. The British were rolled back, the Germans in rapid advance capturing Peronne, Ham, and Bapaume and opening up a gap between the British and French Armies. The old battle field of the Somme was again in enemy hands. On the 26th the French arrived in force and closed the gap which had threatened destruction to the British Army. This drive, which extended to a 50-mile front, had by March 30 gained for the German Army an advance of 35 miles. After an interval of a week another attack was launched, this time in the Ypres sector. The Germans advanced just south of Arras, close to Vimy Ridge, delivering blow after blow, which bent back the Third British Army; the gains were unimportant, yet the losses to the German Army were enormous. As the British in this second Battle of the Somme were on the retreat, their losses also were heavy, not only in guns and material but in men wounded who were captured by the Germans.

Then came Gen. Foch, the new commander in chief of the allied armies, and with Foch came confidence. Although the strain at the Somme was temporarily relieved, with Amiens still in allied hands, the crisis was by no means over, and the British and French and now the American armies had before them new and terrible tests of their fighting qualities. In the four weeks which had elapsed since the launching of the German offensive the world had never known such carnage. Terrible blow after terrible blow had fallen on the British forces. They were beaten, routed, almost annihilated, and yet despite their reverses, with backs to the wall they fought on and held the lines. On April 12 Gen. Haig, in a special order of the day addressed to "all ranks of the British Army in France and Flanders," gave this ringing message:

> Three weeks ago to-day the enemy began his terrific attacks against us on a 50-mile front. His objects are to separate us from the French, to take the Channel ports, and to destroy the British Army. In spite of throwing already 106 divisions into the battle and enduring a most reckless sacrifice of human life, he has yet made little progress toward his goals. We owe this to the determined fighting and self-sacrifice of our troops. Words fail me to express the admiration which I feel for the splendid resistance offered by all ranks of our army under the most trying circumstances. Many among us are tired. To those I would say that victory will belong to the side which holds out longest. The French Army is moving rapidly and in great force to our support. There is no other course open to us but to fight it out; every position must be held to the last man. There must be no retirement. With our backs to the wall, and believing in the justice of our cause, each one of us must fight to the end. The safety of our homes and the freedom of mankind depend alike upon the conduct of each one of us at this critical moment.

At this point the Germans changed their system of attack. Their new method was to strike with one colossal blow after another, few in number, yet with their entire strength in each. This was the strategy of Napoleon, who believed in venturing all on a single stroke, risking complete disaster if the supreme blow failed. His brilliant victories at Marengo, Jena, Austerlitz, and Wagram were achieved in this way. When the old guard was defeated at Waterloo, the Empire was at an end.

Following the second Battle of the Somme there was almost a month's pause before the Germans advanced again. During this time each side prepared for the summer campaigns, reorganizing shattered divisions and bringing forward new supplies of men and guns.

On May 27 the imperial army struck on the Aisne sector along a front extending for 30 miles. The attack consisted of a brief bombardment of great intensity followed by dense waves of infantry, advancing in overwhelming numbers in the wake of a lifting barrage. Heavy artillery pounded the lines of communication and shelled the areas in the rear of the retreating lines. The French were driven from the Aisne and across the Vesle River, then the Germans turned directly toward Paris. The situation was critical in the extreme, for Foch not only had to bar the roads to Paris, but also to prevent the capture of Rheims and the heights south of it, which were threatened. While he was hurrying forward his reserves and checking the German advance on Paris with the wreck of his divisions, Soissons was taken, and with it Chateau-Thierry on the banks of the Marne. The salient thus established, penetrated toward the capital to a depth of 30 miles, and although the ground occupied was less than a quarter of that captured in Picardy, yet it was territory that had been securely in French hands since the Battle of the Marne in September, 1914. This third Battle of the Aisne brought the Germans within 40 miles of Paris. By their new method of attack the trench system of defense was of little use and the allies were thrown back with heavy losses.

The German tide was near its flood; French reserves and American troops begin to pour in between the Forest of Villers-Cotterets and Chateau-Thierry, driving back the Germans who had by this time crossed to the south side of the Marne. While our boys here along the river were showing the mettle of which they were made, another body of American troops were winning fame by their capture of Cantigny in the north. On June 9, two weeks after their Aisne drive, the Germans launched an attack on the Oise, striking on a line between Montdidier and Noyon. The objective was the capture of Compiegne, which would compel the French to evacuate the high ground around the city, and although the Germans advanced 6 miles in the first few days they failed to take the town.

Let me now speak of our own boys who won unperishable glory in stemming the German rush on Paris. You and I recall how day after day we would see on the map in the lobby that thin line of defense being pushed farther and farther southward, as the German Army swept forward. Each day a victory in the advance, each day bringing them nearer to their goal, until only 40 miles separated them from the capital. Then America, who in all her faith and strength had been answering the call of humanity, hurled into the breach her sterling manhood. The Germans had struck a stone wall; when they saw those old slouch hats they thought that the stone wall was made of Australians and Canadians—and it was an honor to be mistaken for a Canadian or an Australian on that line of death. They sent back for more artillery, for their reserves; they rushed in the Prussian Guard; and they stormed and charged, but that stone wall held; and then they discovered that these slouch hats belonged to the boys from the States—the American "devils."

A short distance beyond Lucy is Belleau Wood, now known as the Wood of the Marine Brigade, in honor of the men who have forever made it famous. We spent some time wandering over the historic ground still strewn with camp utensils and implements of war. The dugouts and caves were littered with tin cans, papers, and discarded clothing of our soldiers who had occupied these shelters after their victory. I picked up a letter written by a mother to her son. It was full of love and hope and pride. It told him of local items and ended with a fervent prayer that all would go well with her boy. As I read the weather-stained note, full of the peace and sympathy of some quiet home, my thoughts reverted to that boy. Was he still fighting with his regiment, adding new laurels to his fame and awaiting the time when he could join the family circle, or had he gone to that eternal home to be mourned forever by a sorrowing mother? In places the woods are so thick with underbrush and fallen trees that it was almost impossible to force one's way through the tangle. As a guide in this jungle, the soldiers had tied lines of string from tree to tree. Here and there we came upon the bodies of forgotten Germans, the stench of whose decaying flesh was overpowering.

Let me tell you some stories of German treachery, which shows the kind of a foe our boys were fighting. After the terrific hammering of our marines and infantry the boche began to surrender, and each day numbers of them were made prisoners. On one occasion five were seen advancing. They had thrown down their rifles and with hands above their heads came forward shouting "Kamerad! Kamerad!" A squad of our boys, thinking they were honest, rose from the wheat fields to bring them in. Directly behind the first five came five more with hands up shouting "Kamerad," and more of our men went forward. Suddenly the first five stopped, leaned over, and then the second five rushed up to them and commenced firing machine guns, which had been strapped to the backs of the first five. Every one of those men was killed by this dastardly act, but there were others who had seen the trick, and not one of the boches escaped to tell the story of his perfidy. They told me, too, of other tricks, how Germans, dressed as Americans, crawled up close to the lines on dark nights and in good English shouted "gas." Then while our men were adjusting their masks the Germans raided the trench.

Another instance was of a boche machine gunner who came forward to surrender, and while he was standing with hands up his gun opened fire. Upon investigation it was discovered that by means of wires attached to his feet he was able to operate

his gun from a distance. I want to tell about a Brooklyn marine, a young chap I met on the *Leviathan* just after he had come out of the hospital. He had gone through the drive for the woods without a scratch and one night he volunteered to take a message to another command. The work of these runners was fraught with greatest risk; a cool head and daring nerve were essential to the task. The boy started out in the early morning, his course lying through the edge of the wood. Anticipating no danger, he groped his way through the darkness, stumbling over the rough ground, when suddenly a shot rang out; he fell with a bullet in his side and his right arm wounded. While he lay in agony and in terror lest his foe should discover him, he heard the twigs snap as his assailant crept upon him to learn the result of his shot. Knowing if the German found him still alive his chances of life would be small, he marshaled his fast-ebbing strength, rolled over on his side, and, wounded as he was, managed to draw his revolver. Too weak to stand, he balanced his pistol on the wrist of his left hand, keeping it pointed in the direction of the approaching sound. Luckily for him, the German was advancing in front. Daylight had come, and with the faint glow of the morning streaming through the heavy foliage, he saw the head of his enemy as the German crept toward him with fixed bayonet. Fortunately his aim was true, and at the first shot down went the boche. To be sure there was no camouflage, the boy emptied his revolver into the German and then swooned from loss of blood. For 36 hours he laid there unconscious and when found his hand still gripped the pistol which had saved his life.

While I am speaking of these personal exploits, let me relate others I feel sure will be of interest. I met a young naturalized Italian on his way back to Seattle. He had just come from the hospital and was bemoaning his fate at not being allowed to go back into the lines. His right arm had been amputated at the shoulder, but he was bright and full of fight and showed how he could still throw a grenade. Both his father and mother had been killed when the Germans and Austrians swept down into northern Italy in the fall of 1917; and two brothers had lost their lives in the Italian Army. He told me how he had fought and killed, buoyed up in his strength and courage by the hope that each time his rifle brought down a boche it might be the man who had murdered his mother. This poor chap was all alone in the world, and his one consuming desire was to get back, wounded as he was, to fight again for his adopted country and against the enemies of the land of his birth.

Another case was of a soldier who had been made a prisoner and was employed filling up a hole in the road over which artillery was to be moved during the night. His guard fell asleep, but the American, instead of escaping, filled up the cavity, using soft dirt and refuse, which he covered over with gravel, giving it the appearance of a properly finished job; then he drove his pick into the sleeping boche and ran. He got back safely into the lines, and a few days later, when the Germans had been driven back, a heavy gun was found mired in that hole, the result of the forethought of that brave young boy. Oh, those lads had their nerve with them, and their gumption, too.

An American who had been taken prisoner was being marched to the rear with a guard on each side and one behind, when suddenly he put out both feet and the two Germans beside him stumbled to the ground. In a flash he grappled with the one in the rear, securing his rifle; then, before they regained their feet, he killed the two who had fallen. Compelling the other one to surrender, he marched him back a prisoner. For this he was granted two months' leave.

I met another boy who tried the same thing, but was not so successful. Instead of tripping his guards, he struck one, knocking him down, and then turned to the other, but in the meantime the guard in the rear had driven a bayonet into his back, paralyzing his spine. He was left for dead and lay several days before he was found. When I saw him he was a hopeless cripple. One badly wounded chap I met, when asked how he felt, replied, "Oh, I am all right, but I am looking for the man who did it."

The Germans were extremely clever in their schemes of deception, but they did not fool the Americans very long. I was told the story of how in an old trench which the French were occupying, spies mysteriously appeared. While their presence was known, their method of getting into the lines was not detected or even suspected until a German who had been taken prisoner and was sick of war gave away the secret. He showed behind a screen of burlap, a door which led into a tunnel. The French, of course, knew of this opening, but they thought it a blind tunnel and paid little attention to it. The German said, "I will show you how it was done," and with that gave a few raps on the door, when immediately there appeared three Germans dressed as French soldiers. This little game had been going on for some time, and the spies had been able to communicate a good deal of valuable information.

I met a poor boy on crutches whose right foot had been shot away. He told me his story of courage. When he was wounded he was out in no man's land and could obtain no medical attention. With rare presence of mind, he undid the lacings of the shoe on his mangled foot and used them as a ligature to bind up his bleeding stump, thus saving his life.

Another case was of five wounded men who had been captured and taken to an old barn, where they were left, the Germans retreating before medical attention could be given them by their Red Cross. These poor fellows lay in that barn from Monday morning until Wednesday noon without food or water and with shells from both sides bursting about them. The roof of the barn was blown away and they were covered with splinters and dirt. Then they heard our troops marching by but were too weak to call out. Finally they were rescued by a telephone gang who had come to the barn to string up wires.

Let me tell you of a boy, a son of old Bunker Hill stock. He was a marine, only 18 years old, and yet had seen 15 months of service and had 3 wound stripes on his arm, the last from a broken leg at Belleau Wood. This boy when 16 had gone to New York, where he endeavored to enlist in the Navy. He passed all requirements, but when asked for his birth certificate confessed his age, and the officer sent him home. One morning on his way to school he hiked out for another recruiting station, and this time managed to get into the Marine Corps, had gone through their training camps, and had made on the firing line a marvelous record for bravery and courage.

A grewsome story was told me by a young chap, who, with his pal, had wrapped themselves in their blankets and had gone to sleep close up to the firing lines. A heavy bombardment was on, and shells were exploding all around, but the tired lads were soon asleep. My young friend was awakened by a sudden movement of his bunkie; he reached over to ascertain the trouble, and his hand met a warm, soft substance. In alarm, he called the guard, who produced a flash, and, to his horror, the lad found he had plunged his hand into the shattered skull of his dead comrade. Another fellow told me of being out in "no man's land" on patrol duty when a flare went up. Dropping to the ground for concealment he became spattered with stinking offal. He had thrust his arm into the stomach of a decaying German! Oh, no wonder, my colleagues, that boys come back with nerves shattered and minds wandering when they have to endure such trials as these!

But, in the midst of all the fearful scenes that try men's souls and pall the stoutest hearts, there is humor as well as tragedy. They tell the story of a darkey who described the meaning of zero hour and the feat of going over the top. He said, "You is told to clean yo' gun and sharpen yo' bayonet and get everything in shape, and then yo' wait and putty soon yo' hear them cannons aboomin' and then yo' hear a whistle, and then yo' stand up on the fire step, crawl over the top, and say 'Good mornin', Mr. Eternity.'"

One of the best of these darkey stories is of a young southern soldier who was known for his dexterity with the razor. Having been told that he was to go over the top, he at once got busy honing his trusty weapon. He stropped it and polished it, having it in fine condition when he started. He got down into the boche trenches and a big, burly German made a lunge with his bayonet, which he dodged. "Missed me," yelled the darkey, and with that he made a swipe with his razor. "Missed me," said the German. "Missed you? Like h—— I did; jess you try to move yo' haid."

Here is another story that has been told so often that I hesitate to repeat it; but it is a good one: Two boys were lamenting the fact that their shoes were worn out. They did not want to take the trouble to go to the quartermaster for new ones, so one said he was going over to borrow a pair from Fritz. He went, and soon came back with his find. His chum said, "Well, you had luck; guess I will go over to-morrow night and see what I can get." So when to-morrow night came, over he went but he did not come back, and his friend, waiting for him, thought he had been killed or made a prisoner; but just at the break of day back came the chap, helmet gone, face covered with blood, clothes all torn, but he had a new pair of shoes on his feet. "Where on earth have you been?" his friend asked him. "Oh," the other fellow said, "I had a terrible time. You know," he said, "I had to kill 16 Germans before I could find a pair of shoes that would fit me."

I wonder if you have heard the story of the raw recruit who was commanded by his captain to "present arms." Bewildered by the order he blurted out, "Sure, take the darned old gun; I don't want it." Two soldiers were discussing Army regulations, and the conversation turned to courts-martial. One said to the

other, "Suppose you were sentenced to be shot at sunrise, what would you pray for?" His friend replied, "Pray for? I would pray for a cloudy morning."

Whenever in the years to come the name of Belleau Wood is mentioned, there will rise the picture of the United States Marines fighting and dying, the heroes which they are. They exemplified the courage, the bravery, and the grim determination of the Nation whose uniform they wore, whose traditions were their faith, whose glory was their own, and whose honor they held more precious than life. To show how imbued with the traditions of their corps these warriors were, let me tell you the story of a wounded boy in a hospital. Coming out from an operation, some one asked him if he was an American. "No, sir," he said, "I am a marine."

On the afternoon of June 2 began the Battle of Chateau-Thierry, with the Americans holding the line nearest Paris, at a point where the Prussian blow would fall the hardest. On came the gray-clad hordes expecting an easy victory; but wave after wave was swallowed up in that seething fire of the marines and the soldiers of the American Army. The machine gunners and riflemen withheld their fire until they could literally follow Gen. Warren's famous order, "Don't fire until you see the whites of their eyes." Artillery, machine guns, and rifles tore great gaps in the advancing line. The Germans wavered, then stopped, then fled, leaving the field carpeted with their dead. To prevent any attempt to advance by infiltrating through, the Americans, with machine guns and rifles, raked the woods and ravines in which the enemy had taken shelter.

Foiled in their attempt to break the lines, and mystified at the stubbornness of the defense, the Germans for the next few days strengthened the positions they had previously won. In the caves and among the rocks and along the ravines in the black recesses of Belleau Wood they established nest after nest of machine guns. In this jungle of underbrush and heavy timber they believed they held an impregnable position, and this meant that unless routed and driven out the defeat of their attack of June 2 would count for nothing. The Battle of Chateau-Thierry, although it had checked their advance, could not be a decisive victory for the allied cause unless Belleau Wood was captured also. At 5 o'clock p. m., June 6, the marines commenced their attack against the German position; the wood itself, and the towns of Torcy and Bourescbes forming the objective. This battle—or, rather, a series of battles—which continued in all its fury for days, ended in the complete triumph for American arms. So impetuous was the attack, so daring the charge, that in many cases the men overreached their objectives. One officer, reprimanded because he had allowed his men to advance beyond the designated point, excused himself by saying he could not hold them back. "If the Germans can't stop them, how in thunder do you think I can?" he replied.

Without relief, without sleep, without food or water they held the lines in those grim days of the terrific onslaught of the German drive; held when to yield would have meant irretrievable disaster; held and saved Paris. Exhausted to the very limit of human endurance, with ranks decimated, fighting in American fashion and with American daring, they met attack after attack and charge after charge. They beat to its knees the invincible Prussian Guard, which had been thrown in to "show these amateurs how to fight"; then smashing forward, they hurled back, ever back, in disorder and defeat, the legions of the imperial army.

But there are many who will never fight again. They will be mourned by fathers and mothers, sisters and wives, and they will be revered by the millions of Americans who will pay them homage everlasting. Every spot where American blood has been shed for American honor is hallowed ground, every deed a sacred memory, every grave a consecrated shrine. Belleau Wood and Chateau-Thierry are forever written on the pages of American history. With Lexington and New Orleans, with Gettysburg and Antietam and San Juan they will endure, imperishable monuments to the bravery and courage of American heroes, the vindication of democracy and the triumph of liberty and of righteousness.

The heroism and endurance of that conflict are unparalleled and form one of the most brilliant chapters in our military annals. All fame and honor to the United States Marines; all honor and fame to the soldiers of the American Army, equally brave and equally courageous! It was here that the blood of heroes was transmuted into glory everlasting.

We've learnt the law of shot and shell,
We've learnt the law of steel;
But the law of the trench is a cultured hell,
For it stifles the power to feel.
And this is our fate: When the gods are kind,
Our existence shall simply cease—
A sniper's bullet, a trench that's mined—
Godspeed, and a quick release.

—Capt. Horne in Harper's Magazine.

It was at Belleau Wood that Lieut. Col. Wise uttered his laconic reply to the French officer who ordered him to retreat, a reply which voiced the spirit of the indomitable marines. With lines broken after days of terrific fighting, the gallant French were drawing back to new position farther south. They had begun to filter through the American lines, when a staff officer hurried up to Col. Wise, saluted, and said, "You are welcome, Colonel; you are in time to cover the retreat. I am instructed to request you to hold the Germans when you get in touch with their advance as long as you can. You will then retreat to the trenches we shall have prepared for you." "Retreat," said Wise, "retreat, hell! We've only just arrived. We'll let the boches do the retreating."

From Belleau Wood we proceeded to Chateau-Thierry, passing on the way many companies of artillery, supply trains, and motor trucks, all moving out of the sector. Those great guns rolled up the hills as easily as motor cars. Every available space on the huge trucks was crowded to the limit, with boys astride the gun muzzles and others hanging to the fenders, or taking chances atop the engine hoods. And such dust, as this seemingly endless procession in perfect formation, moved along the highways! Patrols were stationed at every curve and at all crossroads to keep the traffic moving. No stops were allowed except at certain places; from the general down all had to obey the regulations, for otherwise the roads would have become blocked and the transportation system paralyzed.

Chateau-Thierry, although a sad wreck, was not so completely demolished as other villages we visited. About 5 miles beyond we came to Bois de Chatelet, near Coincy, in which one of the big "Berthas" had been located. A small spur railroad ran into the woods, evidently to supply ammunition. The circular concrete foundation, erected in a great pit, was about 45 feet in diameter, and the great mount which carried the gun, revolved on ball bearings the size of coconuts. The gun itself had been removed, but all around were brass powder cases and loaded shells. A clearing had been made in the woods around the battery, but to conceal its position from French air machines, huge boxes were constructed in which freshly cut trees from other parts of the forest were fastened. On the approach of an allied plane, gangs of men filled in the clear space with these dummy trees, giving the woods an even appearance, and thus rendering it impossible for the airmen to locate the gun. The ground for acres was covered with empty powder cases, many of them made of sheet iron, showing how short the Germans were of brass.

Returning, we passed an American air station, but unfortunately did not have time to stop. Along the roadsides and back in the fields were graves marked with simple crosses, many of them the resting places of our own boys.

Before proceeding on our journey let me complete the history of the campaigns. We will return to the fifth and what proved to be the last German drive. It was launched on July 15 and was designed to clear the road to Paris. At its inception the offensive extended along a front of over 60 miles between Chateau-Thierry and the western edge of the Argonne Forest, and later, as it developed northward, covered a distance of 100 miles. In the earlier attacks, the element of surprise played an important part, but the French anticipated and were prepared for the blow of July 15. The German bombardment of rear areas, reaching this time as far back as Meaux—only 20 miles from Paris—did not produce the customary confusion and their "mustard gas" failed to demoralize the French troops.

Furious as were the assaults, the attacks failed of any important results. On the first day the enemy succeeded in crossing the Marne, but were immediately driven back by a series of brilliant and successful counter offensives by our own troops, which not only reestablished the allied line on our front, but produced, apart from its military value, a stimulating effect upon the morale of the allied armies. Despite their reverses the Germans on the second day of the battle again crossed the Marne in the southern salient, while farther to the north they menaced Rheims. But Ludendorff had spent his strength, and his troops, exhausted by constant fighting and discouraged by their appalling casualties, lost heart at their failure to break through the French and American lines.

On the night of the 17th the tide turned. Gen. Foch, the military genius of history, launched his offensive with the counter thrust led by Gen. Mangin, and by noon of the 18th, with French and American troops leading the advance, the German retreat was in full flood. By night a dozen villages had been captured by our troops and the French were threatening Soissons from the hills back of the town. By July 22 the Germans had evacuated Chateau-Thierry and were giving way all along the line. Foch had not only checked and smashed the German

lines, but he had wrested the offensive from the enemy, thus achieving in this second Battle of the Marne not only a brilliant military victory but a moral triumph which destroyed forever German expectations of capturing Paris. In that decisive counterthrust the American troops played a conspicuous and a gallant part. Comparatively small in numbers our forces displayed fighting qualities of the highest order. They had defeated the picked soldiers of Germany, stayed the attack on Paris, and turned the assault into a rout.

With the German Army driven back to the Vesle and the Aisne, the second Battle of the Marne came to a victorious end. It was one of the decisive achievements of the war, strangely similar to the first Marne. Paris had again been saved, and the allies, with the ever-increasing force of Americans, were enabled to assume the offensive, which was to continue until Germany, beaten and broken, sued for peace. Gen. Pershing, in praise of the American units which had stopped the German drive and then with the French had turned the tide, issued this statement:

It thrills me with pride to record in general orders a tribute to the service and achievements of the First and Third Corps, comprising the First, Second, Third, Fourth, Twenty-sixth, Twenty-eighth, Thirty-second, and Forty-second Divisions of the American Expeditionary Forces.

You came to the battle field at the crucial hour of the allied cause. For almost four years the most formidable army the world had as yet seen has pressed its invasion of France and stood threatening its capital. At no time had that army been more powerful or menacing than when, on July 15, it struck again to destroy in one great battle the brave men opposed to it and to enforce its brutal will upon the world and civilization.

Three days later, in conjunction with our allies, you counterattacked. The allied armies gained a brilliant victory that marks the turning point of the war. You did more than give our brave allies the support to which as a Nation our faith was pledged. You proved that our altruism, our pacific spirit, our sense of justice, have not blunted our virility or our courage.

You have shown that American initiative and energy are as fit for the tests of war as for the pursuits of peace. You have justly won the unstinted praise of our allies and the eternal gratitude of our countrymen.

We have paid for our success in the lives of many of our brave comrades. We shall cherish their memory always and claim for our history and literature their bravery, achievements, and sacrifice.

This order will be read to all organizations at the first assembly formation after its receipt.

JOHN J. PERSHING,
General, Commander in Chief.

On the morning of August 8 the Fourth British Army began the Battle of the Third Somme, the advance, after a brief but terrific bombardment, sweeping all before it. In five days the allied forces regained a large area and captured immense numbers of prisoners and great quantities of munitions. The fighting of the spring and summer of 1918 was vastly different from the methods of the previous months. After three and a half years of trench warfare, with inconsiderable forward movements on either side, the situation changed into open warfare, with advances netting 20 and more miles in one great drive.

On September 12 came the American attack on the St. Mihiel salient, and in less than 24 hours this dagger point ceased to exist. American troops, American tanks, and American artillery had defeated a German and Austrian force, captured thousands of prisoners, and taken one of the strongest positions on the western front. German power at its zenith had been smashed by opponents whose power was only just rising above the horizon. This was the beginning of the end. From now until the last gun was fired it was one unbroken allied advance along the far-flung line from Verdun to Nieuport. Retreating to the old Hindenburg line, Ludendorff endeavored to stay the tide that was sweeping him to destruction, but all to no purpose. The decisive thrust was made on October 8 by the British, supported by an American division and Debeney's French army. The line bent, then broke, and by the 10th the allied forces were through, and the Hindenburg line had become a memory, and with it went the legend of the infallible and invincible German war machine.

While the British were piercing the German lines on the western section of the front, the Americans were achieving an equally great success on the eastern end. After their brilliant victory at St. Mihiel, Gen. Pershing moved his army northward from Verdun, advancing during the last days of September from the Meuse to the Argonne Forest. The offensive was launched on September 26, the attack being made with a heavy concentration of artillery, airplanes, and tanks, supported by many divisions of infantry. Smashing their way through the German lines, by the night of the 28th the Americans had penetrated the enemy positions from 4 to 7 miles on a 20-mile front.

The Argonne Forest is about 30 miles long and 6 wide. Since 1914 it had been in possession of the Germans, who had fortified it in every conceivable way. They considered it impregnable. In this wilderness of deep ravines, swamps, rocks, and broken hills covered with heavy timber and choked with matted underbrush, the Germans had constructed elaborate systems of trenches, entanglements, ditches, concrete pill boxes, covered pits, and steel-enforced fortifications. Our forces were handicapped by the lack of roads, only two leading into this region, which made it difficult to forward supplies, and these two were soon destroyed under the continuous bombardment. The tangled woods were a mass of machine-gun nests, concealed behind rocks and trees and bristling from every hole and depression in the jungle of undergrowth. The thick timber made aerial observation exceedingly difficult, and artillery could be used with little effect.

The Americans had to cut their way through a zone of entanglements 2½ miles wide, crossed and recrossed with hundreds of miles of barbed wire stretching in every direction. This wire, frequently reaching 10 feet above the ground, was nailed to trees through the forest and was often completely obscured by the high bushes. The Germans had built traps under the exact range of their guns farther back, enabling them to sweep with a storm of fire, the troops which concentrated about these hidden snares. They also had excavated huge holes in the roads; these they covered with a few inches of surfacing, so that artillery and tanks advancing over them would become stalled. There were trenches of all descriptions, large and small, single and double, forming an endless labyrinth. Many were of solid concrete, communicating with the rear through protected passages. Some of the dugouts were subterranean palaces, equipped with electric lights, running water, cooking ranges, and all the furnishings of a modern club.

The most difficult task for the tanks were the stone walls and masonry work of the Hindenburg line, which in many places rose sharply several feet above the level of the ground. During much of the time a cold, penetrating rain fell upon the men, who were without shelter except holes in the ground and "pup" tents. Fighting in the darkness of the forest, against foes intrenched behind strong defenses, it was a veritable hades through which our men were ordered to go, but they went. It beggars description. Through the barbed wire, across swamps and thickets saturated with mustard gas, over trenches swept by shell and rifle and hand grenades, they charged with bayonets set, capturing hundreds of machine-gun nests and thousands of prisoners.

A history of the savage fighting in this grim forest will be incomplete without an account of the handful of men who, surrounded by the enemy and without food or water or hope of relief, refused to surrender. The story of the "Lost Battalion" is one of the epics of the war, and the defiant answer of Maj. Whittlesey, its courageous commander, has become a classic. This battalion having made its objective against stern opposition, found itself advanced beyond the main body of attacking troops, and that the Germans were not only in front of them but behind and on both sides. They had started forward with but scant supplies of rations and only 220 rounds of ammunition. Cut off from communications, for three days these men were the targets for German artillery and machine guns, and while their thin lines were being raked by this incessant fire, hand grenades and bombs from trench mortars were hurled at them from all sides.

On the second day rations gave out, but the determined men, subsisting on crusts of bread, plug tobacco, and roots of trees, obtaining water from a muddy swamp, fought on, exhausted as they were. Their plight having been discovered by their comrades, several unsuccessful attempts were made to rescue them. Airplanes dropped food and ammunition, but in that tangled fastness of underbrush, so dense that it was impossible to see more than a few yards away, these supplies failed to reach the entrapped battalion. After 36 hours without food, with many of the men so exhausted they could not stand, when their ammunition was almost exhausted, an American who had been captured appeared with a note for Maj. Whittlesey, which read:

Americans, you are surrounded on all sides. Surrender in the name of humanity. You will be well treated.

The Americans did not know that relief was near, but they did know that even if they escaped death by German fire they would be victims of starvation. Yet, desperate as was their position, they cheered to the echo the reply of their major when he shouted back, "Surrender? Go to hell!" Late that night our troops broke through the German lines and reached the determined band, three-fourths of whom were still alive.

The troops that did such valiant fighting in this forest, one of the bitterest contested battles of the war, were largely from New York. They came from Manhattan, Long Island, Brooklyn, The Bronx, Staten Island, and Westchester. These boys fought with the spirit of seasoned veterans, and too high a

tribute can not be paid them. All hail to the gallant Seventy-seventh Division and the equally brave Twenty-seventh and Forty-second.

The defeat in the Argonne completely destroyed whatever chance the enemy had of reorganizing their shattered forces and of making a stand somewhere behind the lines which would have enabled them to hold a defensive position through the winter. It was the decisive blow, but won at an appalling cost.

Encountering heavy losses and enduring untold hardships, our troops swept onward and, after five weeks of continuous fighting against the best of German and Austrian troops, entered Sedan, the old battle field which had witnessed the collapse of the second empire. From this ill-fated field had come the military greatness of Germany and the temporary obscuration of France.

Then Haig, in the end of October, launched his final attack upon Valenciennes. On November 1 the Canadians broke through the last line of the German defenses, captured the city, and then pushed on toward Mons. When the end came the British were in possession of all the ground they had occupied at the beginning of the war.

After more than 50 months they had "come back." They had kept their promise to the inhabitants of all the region, who four years previously had looked sadly upon the retiring British columns. For England the war ended where it had begun.

The return of the British to Mons was no less dramatic than the taking of Sedan by the Americans. On our battle flags hereafter will be inscribed the names of Cantigny, Chateau-Thierry, Vaux, Belleau Wood, Second Marne, St. Mihiel, and the Argonne, and the debt we owe the men who made these names immortal is beyond our payment or our appreciation. Generations will visit these battle fields to offer their tribute to the heroes, living and dead, who here maintained the traditions of their country and the honor of its flag.

Let me quote the messages sent by Gen. Foch and Gen. Pershing to the men under their command on the termination of the war.

Gen. Foch to the allied armies:

Officers, noncommissioned officers, and soldiers of the allied armies: After having resolutely stopped the enemy, you have for months fought him with faith and indefatigable energy without respite. You have won the greatest battle in history and saved the most sacred cause—the liberty of the world.

Be proud. You have adorned your flags with immortal glory. Posterity preserves for you its recognition.

Gen. Pershing to those who served under him:

I pay the supreme tribute to our officers and soldiers of the line. When I think of their heroism, their patience under hardships, their unflinching spirit of offensive action, I am filled with emotion which I am unable to express. Their deeds are immortal, and they have earned the eternal gratitude of our country.

I know of no more fitting way to close this brief and very imperfect account of the great military movements of 1918 than to quote the eloquent words of Mr. Frank H. Simonds, the brilliant war correspondent. Writing in the Review of Reviews, he said:

"For the whole world Sedan has had its significance for nearly half a century. And now the last act in the world war takes place about this town of evil fame. The disaster of the past is abolished by the victory of the present. A German defeat at Sedan is in every sense a fitting end to this struggle, the more fitting since behind the battle lines the German Empire is falling at the self-same hour.

"The French will hereafter have to share Verdun with us as a place of pilgrimage. 'They shall not pass' was the immortal challenge of the French soldiers who held that gateway in 1916. 'We shall pass' was the American watchword, and in six weeks we cleared the road from Verdun to Sedan. A century and a third ago American and French soldiers in generous rivalry sought to be the first in the breach at Yorktown. In the first week of November, 1918, the old rivalry broke out afresh under the walls of Sedan, where the soldiers of Petain and Pershing repeated the triumphs of those of Rochambeau and Washington. We have won the war in the only way that could be worth while. Militarism has brought to Germany a greater harvest of suffering than defenselessness could ever bring. It was Waterloo which shattered the French dream of world power. In the hundred days of Foch, Prussian militarism has been broken as completely as the Napoleonic. The nation collapsed behind the army, but the army was already beaten and the German fleet mutinied rather than engage in battle with the foe. The armistice of Senlis is, then, one of the great landmarks in all human history. It marks the failure of one more effort to dominate the world by the sword. And there is a singular appropriateness in the fact that the death sentence of German militarism should have been signed at Senlis, one of so many French cities ravaged by German brutality and wantonness. 'Have a care,' the German soldiers told the terrified survivors of their Senlis massacres as they stood amidst the still smoking ruins of their homes as the Kaiser's guards turned northward after the first Marne. 'Have a care, for we will come again.' They did come to Senlis again, and there face to face with Marshal Foch, who was waiting for them with the written terms of the armistice, waiting for them, surrounded by the ruins of Senlis, they signed their names to a document which will for all time record the utter and immeasurable failure of German arms. Nor was it less appropriate that the document should be signed just before the daylight hour, since it marked the ending of one of the longest nights in history."

I can not leave the brilliant record of our troops, many of them unfortunately still on foreign soil, without quoting the eloquent address of Gen. Pershing delivered on Thanksgiving Day:

Fellow soldiers, never in the history of our country have we as a people come together with such full hearts as on this greatest of all Thanksgiving Days. The moment throbs with emotion, seeking to find full expression. Representing the high ideals of our countrymen and cherishing the spirit of our forefathers, who first celebrated this festival of Thanksgiving, we are proud to have repaid a debt of gratitude to the land of Lafayette and to have lent our aid in saving civilization from destruction.

The unscrupulous invader has been driven from the devastated scenes of his unholy conquest. The tide of conflict which during the dark days of midsummer threatened to overwhelm the allies forces has been turned into glorious victory. As the sounds of battle die away and the beaten foe hurries from the field, it is fitting that the conquering armies should pause to give thanks to the God of battles who has guided our case aright.

VICTORY WAS UNITED STATES' GOAL.

Victory was our goal. It is a hard won gift of the soldier to his country. Only the soldier knows the cost of a gift we now present to the Nation. As soldiers inspired by every spiritual sentiment, we have each silently prayed that the success of righteousness should be ours. To-day, with thankfulness, we humbly acknowledge that His strength has given us the victory. We are thankful that the privilege has been given to us to serve in such a cause.

In this hour of thanksgiving our eternal gratitude goes out to those heroes who loved liberty better than life, who sleep yonder where they fell; to the maimed, whose honorable scars testify stronger than words to their splendid valor, and to the brave fellows whose strong, relentless blows finally crushed the enemy's power.

Nor in our prayers shall we forget the widow who freely gave the husband, more precious than her life, nor those who, in hidden heroism, have impoverished themselves to enrich the cause, nor our comrades who, in more obscure posts, here and at home, have furnished their toil to the soldiers at the front.

NEW OUTLOOK ON LIFE.

To many fame has come. New names have been inscribed on the roll of the immortals. To all have come a new outlook on life, a clearer perspective regarding its obligation, a more exalted conception of duty and honor and a deeper sense of responsibility to the Nation and to God.

May we give thanks that unselfish service has given us this new vision; that we are able to return to our fireside and our country with higher aims and a firmer purpose, alike ennobling to ourselves and to those who have held long vigil and have prayed for us that we might worthily represent them.

This spirit that has won the victory is to become a permanent and indispensable mainstay of peace and happiness. It is not a matter of individual choice, but of obligation, that we should proudly carry it back with us. If the glory of our military service has been a spontaneous offering of loyalty, it is too priceless to be cast aside by indulgence and too sacred not to be cherished always.

Our Nation awaits the return of its soldiers, believing in the stability of character that has come from self-discipline and self-sacrifice. Confident of the new power that the stern school of war and discipline has brought to each of us, American mothers await with loving hearts their gallant sons. Great cause, indeed, have we to thank God for trials successfully met and victories won. Still more should we thank Him for the golden future, with its wealth of opportunity and its hope of a permanent universal peace.

I will now take up the thread of my narrative. Leaving Chateau-Thierry, we returned to Paris, stopping en route at Meaux where we regaled ourselves on horse meat. That night we left for Rome. At Turin we were tendered a reception by the city officials and officers of the Italian Navy, who had been detailed to receive us. During our stay in Italy we were the guests of the Government, and every courtesy and consideration was shown us. In Rome we paid our respects to Vice Admiral del Bono, minister of marine; Baron Sonnino, minister of foreign affairs; and Prime Minister Orlando. The premier made a most eloquent speech of welcome, in which he said:

The help of the United States in men, money, and material is titanic, and Italy appreciates all that, but greater than the material benefit has been the effect upon the morale of the army and people of Italy. You came into the war with no selfish purpose. Your country was not invaded or in danger of invasion. You entered the conflict for the humanity of all nations. Your Bill of Rights, enunciated before the French revolution, was not alone for the United States but for all the world, and it was toward this point that the allies were striving and you are now fighting in order that all humanity might enjoy those blessings.

We enjoyed meeting Col. Perkins and his staff at the headquarters of the American Red Cross, and I can not praise too highly the work of this unit. We also visited Senator Marconi, the inventor of the wireless, at his residence near the home of Col. Perkins. From Rome we proceeded to Padua, and thence on to Venice, where we were met by the commanding officer, Vice

Admiral Marzolo, who gave us the opportunity of inspecting the naval activities being conducted from this base. Poor Venice was a hollow mockery of its former brightness. Deserted canals, empty plazas, barricaded houses, and closed shops were mute reminders that this bride of the sea was within the war zone. Three-fourths of the population had evacuated the city. All the churches and public buildings were protected by sandbags, and the art galleries had been stripped of their treasures, for air raids were of frequent occurrence. I think over 2,000 bombs had been dropped on the city, but fortunately most of them had fallen into the canals and public squares.

We visited the navy yard, which has been in existence since the days of the Venetian Republic. We were much interested in a tank boat which had done wonderful work, and now that the war is over I am at liberty to describe it. It was made of wood, had a flat bottom, and was about 30 feet long, and strongly resembled its land cousin. Two endless belts on which long spikes were fastened, passed completely around the craft from stem to stern. These belts, one on each side, were driven by a small motor, and the vessel itself was propelled by a screw, giving the boat a speed of about 5 knots. As all harbors were protected by chain barriers, this boat was designed to force its way over the obstacles. Coming in contact with a chain or net, the spikes on the two belts engaged the obstruction and literally pulled the vessel over the top.

Being armed with two torpedoes it was a very formidable craft, as the Austrians learned when Conte Pellegrini a year ago entered the harbor of Pola and sank a superdreadnaught of the type of the *Viribus Unitis*. I want to speak of Rizzo's brilliant exploit when, in December, 1917, in a 55-foot motor boat he entered the harbor of Pola, blew up the Austrian battleship *Vienna* and escaped. Last June this daring naval officer participated in a still more spectacular achievement. In his motor boat, accompanied by another vessel no larger than his own, he had crossed to the Dalmatian coast to inspect mine fields. As he was returning, he saw smoke on the horizon and presently several Austrian battleships hove in sight, screened by 10 destroyers. Hiding behind an island, he waited until the fleet came abeam and then darted out. Taken completely by surprise, the destroyers, thinking no doubt that he was an Austrian, allowed him to approach. He passed through their lines, fired a torpedo and, turning to escape, unfortunately was captured; but the dreadnaught *St. Stephen* went to the bottom as the result of his daring.

I want also to speak of the bravery of a young Italian aviator, who, during an Austrian raid, made a counterattack. He figured that there would be no one but the mechanicians left at the station, so he flew over and destroyed it, making his escape before the raiding aviators returned. They told me of a squad of Italian cavalry which had captured an Austrian aviation post during the absence of the airmen. The Italians, after taking the mechanics prisoners, hid themselves and their horses in the hangars. When the aviators returned the cavalrymen made them all captives, destroyed their machines, and escaped before an alarm was given.

Returning to Padua from Venice, we were dinner guests of the King, who entertained us with simple, democratic hospitality. The following morning we had the opportunity of witnessing a review of about 20,000 soldiers composing a part of the army of Arditi, the famous shock troops of Italy. These troops made a most favorable impression upon us, and their equipment, intended for mountain work, was complete in every detail. On the narrow, slippery trails donkeys and mules are used and the artillery and heavy pieces are so constructed that they can be packed in parts and carried on the backs of these animals. The King, after inspecting the regiments, bestowed medals for distinguished service; the first, a gold medal of honor, was presented to a young veteran who, with five comrades, scaled an Alpine peak to a cave in the snow where 80 Austrians had established an artillery position. It took them four hours to ascend the 4,000 feet, but they succeeded in bombing the Austrians, killing or taking prisoner the entire number. We had the pleasure of meeting Gen. Diaz, the commander in chief of the Italian Armies, a man of great ability and judgment.

At Bassino we saw shells being hurled by the Italian artillery into Austrian-held territory, the thunder of the explosions echoing and reechoing in the mountain passes. After lunching with the officers of the Sixth Italian Army we were taken to Gina di Fonte, high up in the mountain peaks. The road on which we ascended was a marvel of engineering skill. For 10 miles it wound up the steep slopes, crossing the deep ravines on stone bridges, and with an easy grade traced its sinuous course back and forth on the breasts of the jagged crags.

We passed a number of great kite balloons from which Italian observers were watching the Austrian lines. To expedite the transportation of materials and relieve congestion on the road, the Italian engineers had constructed a cable conveyor running from the base of the mountain straight to the summit, on which was carried in suspended cages, ammunition and supplies. Arriving at the crest we were escorted by Gen. Cavan, commanding the British sector, to the trenches from which we witnessed the bombardment of Asiago, an Italian city held by the Austrians. We could hear the shells screaming toward the doomed city; then would come the upheaval of bricks and dirt, followed by the dull roar of the exploding missiles. The Austrians from their lines answered with shrapnel and high explosives, the spurts of flame from the bursting projectiles and the echoes of the blasts among the valleys and precipices forming a vivid picture of mountain fighting.

On our return to Paris we again stopped at Turin and inspected the great Fiat factory, where 40,000 persons were employed in manufacturing motors of various kinds. I can not leave this very casual account of our visit to Italy without expressing the deep appreciation of every member of our party for all the courtesies extended us. The record of the Italian Army and Navy in this war has been one of brilliant achievement. Fighting against overwhelming odds, beset with difficulties well-nigh insurmountable, the brave people of our southern ally have made heroic sacrifices, meeting every call of liberty and of honor with the courage inherited from a glorious past. With 14 per cent of her population under arms, with supplies of food and fuel and all the necessities, both of life and war, always critical, Italy never faltered in her determination and her high resolve.

From Paris we proceeded to Bordeaux, where we were joined by Capt. Cone, United States Navy, in charge of naval aviation, one of the most efficient officers in the service, upon whom too much credit can not be bestowed for his able administration of this department. We reached Bordeaux, and, after inspecting the docks and warehouses, started in autos for a tour of inspection of the naval air stations along the coast. With the war a thing of the past, it is useless to go into details concerning conditions. Let me say, however, that the delays and confusion in our aircraft production, so manifest in the Army, was reflected in the stations we visited.

Our party visited Moutchic, Pauillac, Rochefort, La Rochelle, La Pallice, Fromentine, Paimboeuf, St. Nazaire, Montoir, Le Croisic, L'Orient, Ile Tudy, and Brest, and at all of these stations we found splendid bodies of men, much enthusiasm, and many parts of machines but few "ready for service" planes. Let me be most emphatic in stating that neither Capt. Cone nor his corps of assistants were in any way at fault for the lack of equipment. They had done all in their power, but were not responsible for shipments which brought parts of machines to one port and other parts to another. Neither were they to blame for cargoes shipped without bills of lading, which necessitated the opening of all boxes to ascertain their contents. We were told of one shipload of supplies which, being opened and unpacked, consisted of jars of jam, kegs of spikes, steel rails, and ammunition, all jumbled together.

At Pauillac we lunched with over 3,000 of the enlisted personnel, the mess hall being presided over by Capt. Evans, son of "Fighting Bob." This station is a clearing point and headquarters for supplies and repair work. Commander Briscoe, of New York, was in charge of the shops, and his great executive ability was in evidence on every hand. At St. Nazaire, one of the principal ports of entry for American material, we saw three of the Navy 14-inch railroad guns being made ready for shipment to the front. This railway battery was completely independent of any permanent artillery base. With 12 specially constructed cars, the complement for each gun, the equipment was so mobile that the battery could move position—gun, personnel, kitchen, fuel, ammunition, wireless, and machine-shop cars—in less than an hour. These guns fire heavier projectiles and have greater range than any ever before placed on mobile shore mounting, being capable of hurling shells a distance of approximately 30 miles. Admiral Plunkett, who was in command of these guns on the front, reported that—

> The shell craters were remarkable for their uniform size and great extent. One shot was sufficient to completely wreck a railroad line of three tracks for a distance of at least 100 feet, tearing up the rails, shattering the ties, and blowing an enormous crater in the roadbed. Traffic was stopped completely, not only during the firing, but from 6 to 10 hours each day after the firing had ceased.

There are immense docks, sheds, and railroad yards at this point, all constructed since our entrance into the war. Many German prisoners, a sorrowful looking lot, were employed in road building and construction work around the city. At Quimper we visited a Belgian refugee camp, just outside the town. These poor unfortunates were housed in great barracks, and it was a pitiful sight to see these homeless wanderers,

many of them entirely alone in the world, and all destitute. Arriving at Brest, we were cordially received by Admiral Wilson, one of our most distinguished officers, who was in command of operations on the French coast. This old city of Brest has been awakened from its slumbers by the coming of the Americans. Until our entry into the conflict it was used exclusively as a naval arsenal, but we have made it the chief port for the disembarkation of our troops, as many as 40,000 having landed in a single day. To provide for their temporary stay before moving to the front, it was necessary to construct great barracks and complete water and sewerage plants, but unfortunately the camp was badly located.

Our party separated here, all but three sailing for home, leaving Congressmen WILSON, OLIVER, and myself who had decided to return to the front. And now I want to take you with me to the battle lines, to the active front, where our boys were making history. Having secured a guide, passes, and a car, which we loaded with rations and blankets, we started from Paris for Meaux, and then on to Fere en Tardenois.

As we approached the war zone, the scenes of desolation became more and more dreadful. We were right in the track of the German retreat, and on every side were piles of loaded shells, stacked up like cordwood, and every sort of army equipment which the Germans did not have time to remove. You know the Americans were after the boche, and as speed was better than valor, the enemy left everything in their flight. We passed through village after village, all completely destroyed and deserted. Occasionally some lone Frenchman would be seen, wandering among the ruins of his home, trying to find a piece of furniture or some utensil with which he could start life anew. In most places there was not a single thing of value left, all had been burned or demolished by the retreating Germans. Along the road and scattered in the fields were helmets and rifles and chunks of ragged steel. Smashed airplanes, broken gun carriages, dismantled warehouses, torn-up railroad tracks, all told the story of the conflict, while here and there, now alone, then in groups, were the fresh mounds of dirt, marked with a cross or the twisted barrel of a rifle—mute reminders of the bloody struggle of but a few weeks before. Many of the fields were so lacerated by artillery fire that it will take many weary months before they can be brought back into cultivation, and it will be years before the barns can be made ready for the crops.

Near Fere en Tardenois we saw the ruins of a great wagon factory which the Germans had used to repair their trucks and gun carriages. The shops had been burned with all the valuable machinery, but there must have been at least 5,000 wheels stacked in a field nearby.

Passing through Fere en Tardenois, the headquarters of a French Division, we soon came to the headquarters of Gen. Alexander, commanding the Seventy-seventh Division, composed of New York troops. He and his staff had their quarters in a superb old edifice, Chateau de le Fere—at least it had been a stately mansion before war swept over it. It was located in a little clearing on the edge of a wood, and to deceive enemy aviators, approach to the building by motor was strictly forbidden. To carry out the deception that no one was quartered inside, no attempt had been made to repair the shell-riddled roof, and every storm sent its deluge of water spattering down through each room. This old chateau had been built in the thirteenth century, and before war had marred its beauty must have been one of the show places of the region, for spacious courts, artistic gardens, rows of statuary, and a magnificent stone bridge spanning a narrow defile gave proof of its former splendor. Inside, there was the strangest conglomeration imaginable. Superb mirrors set in exquisitively carved frames, encrusted with gold leaf, were hanging over an old packing case on which an Army clerk had placed his typewriter. Seated in a stately chair, rich with brocade facings, he pounded out the day's orders, unconscious of the incongruity of his surroundings. When the Germans, who also used this chateau for headquarters, evacuated the place they left leaning against the wall in the hall an innocent-looking stepladder. Suspicious of some trick, the American engineers examined the ladder, finding not unexpectedly that a wire attached to the lower rung lead to a heavy charge of TNT in the cellar, and had the ladder been removed before disconnecting the wire the entire building would have been demolished and everyone in the vicinity killed.

Gen. Alexander very kindly detailed an aide to conduct us to the active front; and equipped with helmets and gas masks we started out. Passing along heavily camouflaged roads on which companies of our boys were marching back to rest positions, we came to the headquarters of Gen. Johnston, and from there went forward toward the lines. As we were skirting the edge of a small woods, a terrific explosion took place just ahead of our car, the flame bursting in our faces like a blast from a furnace. Our first thought was of a German shell, as an incessant bombardment was going on at the time. With the explosion came yells from the woods, "Get that car out of sight," an invitation we accepted without the formality of transmitting it in writing. We found we had unknowingly passed directly in front of one of our own batteries, which had just received orders to "open up." Our New York boys, several of whom I knew, were in charge, and we spent an hour with them watching the operation of the guns. An observer in the top of a tree far out, was noting the effect of the shells and telephoning back to the commanding officer, giving instructions about ranges, and so forth. The crews worked the guns with great rapidity and with clock-like precision, loading, firing, and withdrawing the empty powder cases. After each discharge the guns were trued up, elevated, depressed, or swung to the right or left, according to the directions received from the observer. First they would fire in order at regular intervals, then a salvo by the entire battery would burst forth, the blast of each gun merging into one mighty roar, which shook the ground.

The men had either erected crude shelters of sticks and stones or had dug themselves pits, which they covered with their raincoats. The few cleared spaces in the woods were carefully guarded, no one being allowed to stand in them for fear of attracting the attention of enemy air machines. On our way back to headquarters we stopped in a little clump of trees where the Knights of Columbus had established a coffee wagon, and it was good coffee with real sugar and good crackers. I know, because I sampled it. They told us that one day they had served as many as 1,700 soldiers on their way back from the trenches. Here they were, right up on the line, in range of the German guns. That night, after dining with Gen. Alexander, we bunked with the boys out in the timber. We had to pass from the chateau along the edge of a ravine. It was pitch dark and no lights, of course, could be used. Men rolled up in their blankets were sleeping in every conceivable place, and many a lad was awakened by our stepping upon him in the darkness. We stumbled over trees and rocks as we tried to find our own blankets, which we had unpacked before going to supper. At one place the stench of a German corpse almost overcame us. The lieutenant who was helping us, occasionally used his pocket flash light, but instantly there came the stern command from a sentry, "Put out that light!" At last we found our belongings and without undressing, rolled our blankets about us and lay down on the ground for our rest. All night long there was a continuous booming on the line only a few miles away, and every little while we would hear a sentry challenge some motor truck or a company of soldiers moving forward.

Next morning Gen. Alexander invited us to accompany him to the front on a tour of inspection. Leaving our car just beyond the woods where yesterday we had seen the battery at work, we began our tramp forward, passing men on their way back from the trenches. Gen. Alexander, a soldier of exceptional ability and with large military experience, had just taken command of this division, and frequently he would stop and inquire of the men the condition of their food and clothing. He asked one young chap, an Irishman, if he knew who he was. The lad said "No," and when the general told him the boy answered in a rich Irish brogue, "Begorah, Gineral, but I am glad to maat you." We were hardly able to repress a smile at the hearty good will of the soldier. Another, when the general said, "An American can always whip a boche," replied, "Yes, you are d—— right, General, and we will give them some more h——."

Whenever we came to an open space we separated, each man walking alone, for groups are dangerous targets. Shells began to burst around us; one, falling scarcely a hundred yards away, sent a fragment which struck in the road just behind Congressman WILSON. We saw a squad of the 302nd Engineers constructing some trusses for a bridge to be thrown across the Vesle River. I just missed meeting my friend and neighbor, Capt. Fred S. Greene, whose men were working on the bridge. This officer has made a gallant record, and I regretted not seeing him. We climbed up a steep, heavily wooded hill, near the crest of which was a large cave. Here an advanced rest and hospital station had been established. We passed on through the thick underbrush with shells from our own batteries as well as from the German screaming overhead. At one point, as we were descending into a little valley we encountered mustard gas, which caused us to beat a hasty retreat. But before we could adjust our gas masks Gen. Alexander, who was in the lead, had inhaled sufficient to cause him great annoyance. Finally

we reached the far edge of the ridge, the fringe of "no man's land," overlooking the German lines.

Out in a clearing was an observation station connected with the woods by a communicating trench, through which we crawled. This was a place where it was wise to remember the slogan, "Keep your spirit up and your head down." From our vantage point we looked across the Vesle River into the town of Bazoches, which our artillery was then bombarding. Shell after shell exploded as we watched, each one adding its havoc to the doomed city. While we were at this point the artillery duel increased and the General thought it wise to return. During the entire time we were at the front his staff were nervous for fear a chance shot might find its target, but luckily none did, although on our way back shells fell close to us. We saw a few poor fellows being carried back on stretchers, two of whom had been badly gassed. Every few yards on the side of the road, little dugouts had been excavated, convenient shelter places in case a barrage was laid down.

Returning to our cars which we had left secreted in a thick tangle of woods we met many of our boys, some cooking, others washing or cleaning their equipment; all happy, but all kicking about the postal service. Whenever I came across any of the lads I told them if they would give me the name and address of some relative, upon reaching home I would write a letter saying that I had met them. I think I collected nearly 500 names, written on backs of envelopes, on pieces of newspapers, and labels from tin cans. I fulfilled my promise, and I can truly say that the responses received from grateful mothers all over the State in acknowledgement of my notes far more than compensated me for the trouble.

We lunched with Gen. Johnston and his staff in an old farmhouse. A huge bomb-proof shelter which had just been completed, was shown us by Maj. Martin and Lieut. Morgan, who were rendering valuable service. Both of these gentlemen were from Westbury. We had a good lunch, but at times it was a question who would come out first—ourselves or the flies. The mess hall was in an old stable, and I suppose the flies considered us intruders. Anyway they put up a stiff fight and it was about a 50–50 proposition.

After lunch we went to the headquarters of Gen. Bullard, commanding the Twenty-eighth Division, and had a pleasant chat with this veteran, whose famous reply to French instructions a few weeks previously, will long be remembered:

> We regret being unable on this occasion to follow the counsels of our masters, the French, but the American flag has been forced to retire. This is unendurable, and none of our soldiers would understand their not being asked to do whatever is necessary to reestablish a situation which is humiliating to us and unacceptable to our country's honor. We are going to counter-attack.

Then on to Sergy, where the Wisconsin and Michigan troops did such splendid fighting. Four times on that hot July day this town changed hands; it was here that a German colonel and 500 of his men were captured. We passed by Clerges, another desperately contested town. Ruins everywhere, with the accustomed sight of discarded weapons and broken implements. Near by we came across a body of negroes digging a huge pit for the burial of American dead. Thirty-seven of our poor boys had been gathered for interment. There they lay just as they had fallen, legless, armless; yes, and headless. It was the most gruesome sight I have ever seen, and it haunts me still. Some mother's son lies here in a nameless grave; some lover who will never return; some father, perhaps, whose child will weep for the dear face it will never see again.

Leaving these heroes to sleep in the peace of the ages, we went to the grave of another hero—Quentin Roosevelt. Each of us had gathered some flowers by the wayside, which we placed on the grave in loving tribute to the memory of a gallant officer. A cross had been erected on which is inscribed his name and the date of his death. Several floral tributes from officers of the French Army told of the esteem in which Lieut. Roosevelt was held by his comrades in arms. Close to the grave is a small stone slab, placed by the Three hundred and second Engineers on the spot where the young aviator fell.

On our way back to the chateau we visited a pigeon cote and saw how these important message carriers are cared for. In speaking of the pigeons, let me tell the story of a gift of these birds made by the British to some Portuguese officers. Not fully realizing the purport of the present, the officers, in acknowledging the gift, sent back this note, "The squabs were delicious. We had them for dinner. Please send some more."

A little farther along the road we saw one of our heavy batteries, the famous 155. The gun was mounted just back of a low hill and was covered with a screen of boughs to conceal its location. In approaching the battery from the road, great care was taken to prevent the formation of any distinct path, which, to an aerial observer, would be a sure sign that artillery was located at its terminus.

That night while at dinner, a carrier pigeon brought word that the great chateau in Bazoches, which we had seen being shelled, had been destroyed. Col. Insinger, one of our hosts at headquarters, related two incidents that had come under his personal observation, both showing the kind of stuff our boys are made of. He said that one night out in "no man's land" he had stumbled over a man crawling through the grass. "Stand up," he commanded. "Can't do it," replied the soldier, "I am wounded." "Well," said the colonel, "if you are wounded, you should go the other way." "Yes; I know," said the boy, "but I know, too, that right over there is a German machine-gun nest, and I am going after it." That boy gave the last drop of his blood, wounded as he was, fighting the enemies of his country. The other case was of a young soldier from my own State who was charging the enemy with his revolver. "Put up that pistol," commanded the colonel; "it isn't heavy enough for this work; use your rifle." "I can't do it," he replied, "I am wounded." The officer looked and found that a machine-gun bullet had ripped open the boy's stomach, and with his left hand he was holding in his intestines, while he was running forward, firing with his right hand. Ah, but that was courage and grit!

A young fellow I met who had recently come from the hospital, told me how he had saved a friend in the fight at Cantigny. Our attack, sweeping down from a hill and across the valley, had carried the town. The objective had been reached, and this boy was safe behind a stone wall, when he looked back and saw, out in the open, his chum who had been hit. Obtaining his captain's permission to return for his friend, he started. Shells and bullets were falling like hail, but he reached the wounded man in safety, and putting his arm about him, commenced dragging him to shelter. Going but a few yards, he too, was wounded. Then, as best they could, they crawled back, only to find that the lines had gone on. Exhausted, they crouched down behind a pile of bricks and lay in a broiling sun, without water or attention, from 9 in the morning until 5 in the afternoon. For that act of unselfish devotion and heroism the boy received distinguished recognition.

Do you wonder now why it was that Bulgaria gave up? Do you wonder why it was that Austria cried "Kamerad"? Do you wonder why it was that the Imperial German Army stopped, then crumbled, and then ran for home, and have been running ever since? Do you wonder now why it was that the German Government, when they pleaded for peace, found themselves in pieces? Do you wonder now why it was that a great Navy hauled down its flag without striking a blow? Do you wonder now why it was that the Kaiser deserted his people and fled to Holland in a vain effort to escape the judgment of humanity?

This experience with the boys—eating with them, sleeping with them, and listening to their stories—was one of the most interesting of my whole trip. A sterling lot of young fellows they were, and fearless fighters, as the Germans learned to their sorrow. New York can well be proud of her men in the service.

In a little wooded valley just below the ridge on which we bunked, was the quartermaster depot. Day and night trucks and wagons passed back and forth. On the edge of the road leading to the stables was a pile of loaded German shells abandoned by the retreating army. Strict orders had been issued not to touch these shells, and yet the drivers of the trucks were so indifferent to danger that they paid no attention to the warning. I saw at least three heavy steel-tired wagons run directly over them. When I asked the driver why he took such chances he said, "Oh, what's the difference; if I am going to get killed I better be smashed up near home than out on the road." Most of these fellows were fatalists. They thought that some particular bullet had their name written upon it, and until that came they were as safe one place as another. That reminds me of old Mike Sullivan, a veteran with whom I toured Long Island last spring in the liberty-loan drive. Mike was a fatalist. An American, born in Ireland of Scotch parents, he enlisted in a Canadian regiment and had fought in France. That was a combination to defy almost anything. He constantly preached the doctrine of fatalism, telling his comrades that it was no use to worry, "that when your time's come it's come, and there's nothing you can do to stop fate." Well, one night Mike was ordered to go over the top, and his chums noticed him very quietly putting an extra pistol or two in his pocket. They jeered, and reminded him that he was a fatalist and that all those pistols would be of no use, for "if your time's come it's come." Poor Mike was stuck for a moment, and then the Scotch-Irish-American-Canadian-French wit came to his rescue, and he said, "Well, that may be so, but I may meet a German whose time has also come."

One night a shell struck on the road directly in front of a motor truck. The driver had no time to stop or turn. Everyone held his breath waiting for the blast which would send them "west," but the shell was a "dud" and did not explode.

With a great jolt, over it they went, and the only comment of the 19-year-old driver was, "If those Germans don't stop dropping their d—— shells in this road, we'll bust a spring."

I wish I could recall all the things those boys told me. While I can not remember all their stories, I can never forget their kindness, their courtesy, and their generosity in presenting me with souvenirs. The Nation will never forget their bravery.

I want to tell you of one very clever sign I saw up on the front, posted to a tree. It read:

The Quick or the Dead.

Gas is a good thing to cook by, but it is a poor thing to croak by. Put on that mask. Be quick or be dead. Don't take a chance. If you do you will never take another.

That night it looked like rain, and one young fellow who was going out on sentry duty insisted that I sleep in his pup tent. Underneath he had scooped out a shallow pit which had been filled with straw, and so, taking my gas mask and my helmet, two things which I never allowed to leave my sight, I crawled in, receiving a royal welcome from about a million cooties. It was a clear, starlit night and not a breath stirred the trees. All was silent in the woods and beyond, except for the ceaseless roar of the guns on the line and the challenge of the sentries on the road below. I had just fallen asleep, when suddenly I was awakened by a terrific explosion, which made the ground tremble, and then came another. We were being raided by German airplanes. Overhead I heard that peculiar rythm of first one machine and then another, and still yet another. We could not see them, but we knew they were there with bombs and that it was the open season for Americans. Presently our antiaircraft guns opened fire, the blast of the charges followed by the explosion of the shells in the air, with each burst of flame lighting up the tree tops. Then fragments of the projectiles came rattling to the ground. Every little while the boche dropped a bomb, which increased by tenfold the roar of the missils. The sensation of lying there, with no protection but a piece of canvas and a few overhanging boughs, was one I shall never forget. There was something uncanny and terrorizing about it, different from anything I had ever experienced. We had no place to go, so we lay in our blankets, hoping that none of the bombs had our names written upon them. In about half an hour the circling machines swung off toward their own lines and all became normal again. One of those bombs struck a house a short distance from our camp, killing its lone occupant, but the others had fallen without harm. Our boys were so sure that the war would soon be over that they had adopted the slogan, "Heaven, H——, or Hoboken by Christmas." I little thought then that their prediction would soon be realized—the Hoboken part.

Just as we were leaving camp the next morning our car went out of commission and we had to abandon it and with it the rifles, helmets, and bayonets the boys had pressed upon us. Hoping that we might have our machine repaired at the divisional motor transportation repair shop, one of the trucks towed us down to the woods, where the shop was located. It was hidden in a little clump of trees on the bank of the Ourcq River, with Capt. Maloney in command. Lathes, forges, benches, and all the equipment of a complete shop were installed on motor trucks, so that the camp could follow the Army. This was the motor repair unit for the entire division, and everything from a damaged bicycle to a great artillery truck found its way to this mechanical hospital.

These mechanicians—and only expert ones were wanted—deserve unstinted praise for what they did. Constantly on the move and always liable to air raids, working 10 to 14 hours a day and seven days a week, their share in the complete triumph of our arms can not be overestimated. But as our car could not be repaired that day, we accepted the invitation of the general and journeyed back to Paris in his machine, again passing through Chateau-Thierry, Vaux, and Meaux. In our first visit to these towns we had seen only American soldiers. Now the Americans were gathering in front of St. Mihiel and the French had taken their place.

Our day in Paris before starting again for the front, was spent making arrangements and in visiting the plant of Andre Citroen, where 50,000 3-inch shells were turned out every 24 hours. 9,000 women and 3,000 men were employed in this great factory, which had been built since the beginning of the war. Two hundred and fifty tons of steel were consumed daily. The plant is equipped with every modern convenience for the welfare and happiness of the employees. Restaurants, reading and billiard rooms, baths, gymnasium, and a complete hospital manned by nurses and doctors make this factory one of the most modern in the world. In their thought for the women workers they have built a baby hospital, where mothers can leave their little ones in the care of experienced nurses. During the week the babies remain here night and day and are fed by the bottle between the mother's visits. On Saturdays the parents take the infants home, and the nurses said they could always tell these visits by the babies losing their regular habits. Five times a day the mothers left the lathe, the forge, and the sweat of the shops to nurse their offspring, and then after this ray of domestic happiness, they returned to make shells and still more shells for their husbands fighting for these babies and the homes of France on the far-flung battle line.

We experienced much trouble and delay in procuring military passes for our trip to Dunkirk, but at last we received the "clear" signal. Capt. Cone, who was very desirous of having us inspect the northern bombing stations and the naval activities at Dunkirk, very kindly placed a car at our disposal, detailing Capt. Gilcrist, of the Marines, to act as our guide and interpreter. We stocked our car with rations, blankets, and a large supply of gasoline, for we intended, before returning, to go through the devastated regions around Amiens.

Passing through Beauvais, Poix, Abbeville, Montreuil, Boulogne, and Calais, we reached Dunkirk late in the afternoon. At St. Inglevert, near Calais, we visited the United States naval air station under command of Lieut. Robert Lovett, of Glen Cove, a splendid young officer, who has brought this station to a high point of efficiency. Montreuil, until recently the British headquarters, showed the effects of numerous air raids. At Oye, just on the outskirts of Dunkirk, we inspected a camp of 500 marines attached to the northern bombing station.

We were received at Dunkirk by Ensign Robert E. Reed, temporarily in command of the airplane base. The importance of Dunkirk, and its proximity to Ostend, has made it the objective of almost nightly raids, but we missed a visit, although the weather conditions were perfect for it. They were also subject to long-range artillery fire from Dixmude, but had devised a clever scheme for protection. A watcher, seeing the flash from the gun, sounded a warning, and, as it took the projectile a minute and a half to reach the town, the inhabitants had that much time in which to seek shelter in cellars and dugouts. They told us that all speed limits had long since been abolished.

Next morning we were afforded an exhibition of fancy flying, a practice I heartily disapprove, because of the risks assumed merely for the amusement of the spectators, and we barely missed witnessing a fatal accident. One man, caught with a bad engine, after turning over seven times and coming within 150 feet of the ground, recovered just in time to glide out in safety. We expected to see him dashed to death, and in talking with him afterwards found that he, too, had thought his time had come. He seemed entirely indifferent to the danger he had been in, and dismissed the subject by saying, "Oh, well, that kind of a death isn't so messy as to be hit by a shell."

While the aero acrobatics were taking place, word came that a German submarine had been sighted off the coast. Instantly flash signals gave the warning to the pilots, who returned to go in pursuit. The sea planes were run out and swung overboard, the pilots took their places, and the big machines whirled off to sea. There is great rivalry between our station and the one across the harbor operated by the French. In this instance our boys were well on their way before their rivals started. Their trip, however, was for naught, as no raiders were discovered.

We then started for Belgium, passing first through the bombed town of Bergues and thence to Woostcappel, where the Belgian officials refused to let us pass. We made a detour and came to Houtkergue, in charge of the British, but, fearing that our civilian attire might again be our undoing, we put on our helmets, hung our masks around our necks, and buttoned up our Army raincoats. It worked, and we passed the frontier. We went through Poperinghe, a silent, desolate town, the scene of bitter fighting in the early stages of the war, and then on to Ypres or, as the British Tommy calls it, "Wipers." We saw many Americans along the road, and, of course, many British and French soldiers. We were near Mount Kimmel, the scene of such fearful fighting, participated in by our own boys, and the roar of artillery and the crack of rifles came to us as we entered Ypres—sad, ill-fated, war-torn Ypres. No voice can describe the awfulness of that destruction, no pen depict the horror of the tragedy which swept this once beautiful city into an inferno of death and desolation. The earthly splendor of Ypres has gone forever, but the blackened ruins by their very frightfulness tell of the glory of those heroes who kept the faith and by their lives answered the challenge of military despotism.

Ypres no longer exists—only mounds of brick and cement, gaping holes, and stumps of walls. All semblance of a city has disappeared. We tramped over the ruins of this city of memories with the guns crashing on the near-by line. No shells had

fallen that morning, and we felt free to walk at will. We had noticed an enemy plane cross one section of the city, but paid no attention to it. Suddenly a high-explosive shell fell within 50 yards of us and then another, and with each explosion we threw ourselves on the ground to escape the flying fragments. Within less than 10 minutes, five projectiles had been hurled into the sector where we were standing. One fragment, which I afterwards secured, passed between our driver and myself, striking within a few feet of us.

It did not take us long to evacuate that place, for evidently we had been observed, and as long as we remained we knew the Germans would continue firing.

On our way back to Dunkirk we passed through Elverdingue, Furnes, Oust, Coxyde, and La Panne, all, with the exception of the last, utterly destroyed—ghostly, tomblike cities, with the region between seared and torn; village after village, farmhouse after farmhouse in hopeless ruin.

Kindle the ashes of Belgium
Into unquenchable flame,
Dawning the light of to-morrow,
Open the portals of fame;
Passeth a world-wide sorrow,
Passeth a nation's tears,
But freedom deathless surviveth
Through the uncounted years.
—Capt. Horne in Harpers Magazine.

Mounted in the sand dunes at Saskatoon was a British siege-gun battery of two 7.6-inch guns. These guns, with a range of 18,000 yards, constantly bombed Ostend and Zeebrugge, and were shelled in return, one projectile having struck just below the battery. "Dud" shells "made in Germany" lay thick on the sands, and many more had been buried by the winds. From the highest sand dunes we plainly saw Dixmude and Nieuport and in the distance the great tower at Ostend.

The boundary of the war zone is distinctly traced, and the change in passing the line of devastation is striking. There seems to be no twilight area; the transition from high cultivation and peaceful prosperity to desolation and waste is marked and complete.

The next morning we started for Amiens, and on our way to St. Omer passed many British troops—artillery companies and supply trains. Without exception the horses in the British transport and artillery service were in the prime of condition, well fed and well groomed, and their equipment always clean and bright. It was the same with their wagons and trucks, all displaying that degree of "upkeep" so essential and yet so often neglected.

At St. Omer we visited a casualty clearing hospital in charge of Lieut Col. Storrs, who took us into the operating rooms, where men direct from the front dressing stations were being operated upon. He told us of an American patient who had fallen off a truck on a dark night. The boy had evidently been stunned by his fall. Ten days later he was found behind a fence, where, without food or water, he had lain all that time, and when discovered was almost a skeleton. The colonel related an instance of five men who had been wounded in "no man's land" at a time the lines were engaged in constant attacks. For two weeks these men were exposed, their only food and water being obtained from the rations and canteens of their dead comrades. For five days they had been without either food or drink, and under the terrible ordeal three perished, but the other two were rescued, finally recovering.

At Amiens, the objective of one of the German drives, we found an abandoned city. Only ten months before I had visited this famous cathedral town, which at that time, although close to the war zone, had been but slightly damaged. What a change those few months had made, and what havoc had been wrought by German guns in those savage attacks to capture this great railroad center. The imperial army came within a few miles of their goal and were only prevented from entering by the bulldog tenacity of the British soldiers.

At Grivesnes, a shell-torn hamlet—and there are many of them in this valley of the Somme—we saw numbers of Italian soldiers, the first we had seen. On the roads, German prisoners and Chinamen were at work, for the French religiously keep their highways in perfect condition, a lesson we can emulate to advantage. Just beyond Grivesnes we discovered a little cemetery surrounded by line after line of trenches. It was located in an open field, a few yards from the road, and presented a sight almost too gruesome to relate.

The little chapel had literally been annihilated, and all about were the sacred furnishings that once graced its interior. The tombs had been broken open by the exploding shells, and skeletons and skulls were mixed with the wreckage of marble slabs. In a space no larger than this hall we counted 10 dead Germans rotting in the grass. One young chap, evidently an officer, lay as he had fallen, with arms still stretched over his head. A gaping hole in the forehead told the story of his last agony. I picked up one helmet with the mangled head of its owner still incased. What had become of the body is a mystery, for only the head was lying there. Of course, we examined the bodies to see if any documents of military value could be found. There were none; but let me tell you of a diary which one of our officers did take from a German before Chateau-Thierry. These were the entries:

July 12. Things are going fine. We will soon be in Paris.
July 13. The fighting is becoming furious.
July 14. We have called for our reserves, and are fighting like hell.
July 15. Mein Gott! How those Americans can fight.

We learned afterwards that in this little cemetery, a German machine-gun nest had been located, and the tower of the chapel had been used as an observation post. The ground around here had been fought over last May and June and was in the same condition in which it had been left, a mass of discarded implements and weapons. Hardly a yard of roadside but was blasted by shell holes and seamed with trenches.

Just before reaching Cantigny we came to a crude graveyard, where 22 Americans lie buried. The French had evidently performed this last act of kindness, for the inscriptions were in that language. Each grave had at its head a cross on which was fastened a metal label bearing the American flag surrounded by a wreath of laurel, beneath which a tin-foil name plate bore the legend: "American—unknown."

We reached Cantigny in the early afternoon. Its sole inhabitant was an old man, caretaker for the telephone wire. He lived in a cellar, for not a house was standing. He was the only one who could say he had a home in this spot, and yet he was not alone that September day, for the priest and two old women were there also, wandering about the ruins seeking a familiar sight. The priest told us of his church, but we could not find it, for it no longer existed, only the iron fence, twisted and broken. A little farther we came upon an old man with a cart loaded with household articles. He said he had come back to start life all over again and was looking for his house. He will look in vain, for nothing but débris and memories are left in Cantigny.

We passed through Montdidier, a grim skeleton with houses still standing but deserted and in ruins. Just as night was falling we entered Maignelay, where the First French army, including several companies of the famous Chausseurs, were quartered. The officers, thinking we were members of some sanitary commission, were not inclined to let us spend the night, but when at last they discovered we were not hunting germs, very graciously detailed a soldier to provide us with such comforts as could be procured. Finding shelter in a vacant house and with the canned goods we had with us, we were able to entertain a number of our hosts. As these cities close to the line are, of course, in total darkness at night we devised a happy plan. Running our machine close to the side of the house we passed the "trouble" lamp of the car through the barred window and started our banquet under an electric light. Unfortunately, through a crack in the blind a gleam of light escaped and soon the sentry ordered us to extinguish the lamp. Our guide and friend then procured candles and by hanging our coats over the window we were able to eat without fear of bringing unwelcome guests upon our friends.

The next morning we started for Soissons, passing en route much open country, a large portion of which showed the effects of heavy artillery fire. In a field near Tricot were 10 destroyed French tanks. Many of the roadside trees had been broken off by shells, the splintered stumps resembling great tropical palms.

At Compiegne, which the Germans nearly captured a few months before, we saw a division of French troops on their way to the front, the hardy veterans marching along in regular formation, infantry, artillery, machine-gun companies, supply trains, kitchen trains, and ambulance corps. These French soldiers presented a slovenly appearance, but they were fighters, as all the world will testify. Just outside the city we met the boys of the Thirty-second Division on their way to camp. They came trooping along, singly and in groups, tired, footsore, and hungry, having had no breakfast, as they had been on the hike since 4 a. m. and it was then 10 o'clock.

Approaching Soissons, we discerned 10 or 12 airplanes over the lines; the puffs of gray smoke about them indicating that anti-aircraft guns had also discovered them. Heavy guns were in action and as shells were falling in the city we picked our way carefully among the ruins. The great cathedral has been completely demolished and the city itself is one maze of débris. We entered several houses, homes where the furniture was still in place, and clothes hanging in the closets. Knowing how

cunning the Germans were in hiding bombs and detonating fuses under carpets and attached to doors and chairs, we did little exploring.

On our return to Paris we passed through the Forest of Villers Cotterets, where large numbers of soldiers had been quartered; then to Senlis, where in a few weeks German officers were destined to come and beg for peace.

From Paris we visited one of our air stations, enjoying a flight over the city with Lieut. Newport. The most pathetic as well as the most touching sight of our whole trip was at Suresnes, on the banks of the Seine, just beyond the Bois de Boulogne. A few acres upon the hillside overlooking the great buildings and the boulevards of the capital, had recently been dedicated to the American dead. It is the last resting place of those who rendered the final sacrifice in the hospitals of Paris. Each grave is surmounted by a cross bearing the name of the man below, marked with his regiment and company. With the symbols of their faith are the emblems of their devotion, the flags of America and France entwined in loving memory of the men of one Republic who died in defense of the other. Old men and women were there on their hands and knees shaping the mounds, placing sod, and planting flowers. All was a labor of love and veneration for the men who had come across the seas to defend their homes. These graves have been adopted by French families as their own, and for all the years to come the affection and solicitude of a generous people will preserve these shrines of sacrifice, fresh and sweet as the sacred traditions which cluster about them. The flowers of to-day will wither, the grasses fade under winter frosts, but the hallowed memories will remain forever. In thanking the mayor of the city for the tender care bestowed upon our dead, he replied: "Oh, how little it is that we can do for them, who did so much for us."

At Brest we boarded the great ship *Leviathan*, but found that owing to the rough weather, which delayed coaling, she would not sail for a day or two. The *Mount Vernon*, just returned from an encounter with a German submarine, was lying in dry dock with a gaping hole in her side. The ship when torpedoed was a short distance out from Brest, 36 men of the engineer's force losing their lives in the fire and boiling water of the stokehole. And yet with two compartments flooded and with their comrades dead and dying, when volunteers were called for to man the still undamaged furnaces, every man of the crew stepped forward and offered to go below. It was our sad privilege to attend the funeral of these brave seamen. With Admiral Wilson, Assistant Secretary Roosevelt, and all the officers and men of the *Mount Vernon*, we paid our tribute to these victims of German submarine warfare. Each coffin was draped with the flag "above them or about them," and each covered with flowers and wreaths. The simple but impressive service over, with the band playing a funeral march, the caskets were carried on board our ship for the final voyage to the land for which these men had given their lives.

During the three days we were lying at anchor, 10 great ships bearing soldiers for the front entered the harbor. Finally the time came for us to sail, and with the *Great Northern* and *Northern Pacific* on either side, a cordon of destroyers to protect us from submarine attack, we passed out to sea. These destroyers remained with us two nights and one day.

We had on board 400 sick and wounded men and nearly a hundred officers detailed to bring back special units. Let me give a brief description of this great ship, the largest in the world. Under the name of the *Vaterland* she was placed in commission in the spring of 1914 by the Hamburg-American Line, and was lying at her dock in New York when war was declared. Upon our entry into the conflict the ship, which had remained at her wharf for nearly three years, was seized by the Government and turned over to the Navy Department, by whom she was repaired and manned. Since December, 1917, this ship, renamed the *Leviathan*, has been in transport service. During the summer of 1918 on each voyage eastward she carried approximately 10,700 men of the Army, which, together with her naval complement of over 2,000, gave her a total carrying capacity of nearly 13,000 men. To feed this number, 7 tons of fresh meat, 22,000 eggs, 7,000 loaves of bread, and 3,000 pies were required daily. There has been an erroneous impression that the men were compelled to sleep in watches, half in the daytime and half at night. This is not correct, for there were bunks sufficient to permit all of the men sleeping at the same time.

To accommodate this vast number, the partitions of the lower decks were removed, the space being devoted to mess halls. On other decks, pipe bunks in tiers were installed. The ship was fitted with every device for its safety—fire apparatus, life boats and rafts, water-tight compartments, wireless systems, and thousands of life preservers. At night no lights were permitted on deck or where there was a possibility they might be seen from without. After nightfall no one was allowed outside the main cabins, and every precaution was taken to prevent this mighty ship becoming the prize of some daring submarine commander. We retired without undressing, being careful to place our life-preservers within easy reach, and in the daytime this gear was a part of our costume. While passing through the war zone no concentration of passengers in any one place was permitted for fear of confusion in case of an attack, but after the shores of France were well astern, moving-picture shows became a nightly occurrence.

Before speaking of the sick and wounded, let me give the dimensions of this giant vessel: Length over all, 964 feet; beam, 100 feet; displacement, full load, 69,000 tons; draft, full load, 41 feet 6 inches; maximum speed, 24 knots; height of smokestacks from the keel, 183 feet.

Installed on the *Leviathan* was a powerful wireless telephone, but it was not in operation, because the one which corresponded with it was in Hamburg, and its use would have been dangerous to the ship. When the *Leviathan*, upon the completion of repairs, was sent on a trial run to Cuba, this apparatus was tested. To ascertain the radius of the telephone, instructions were given that every station picking up a certain message was to report it to Washington, thus enabling the department to learn the greatest distance over which a message could be transmitted. The operator, after giving instructions to the receiving stations, gave the code number of the ship for that particular day—we will say, "N 54"—and then he read an article from a newspaper. The receiving operators reported the message verbatim; but in every case, to the surprise of the authorities, there was an interpolation after the code number, each report reading, "N–54. Ha, ha; I know who you are. You are the *Leviathan*." Then followed the article as transmitted by the ship's operator. On investigation it was found that a German operator had picked up the message. Knowing that outside of the apparatus on the *Imperator*, which was then in Cuxhaven, the only instrument similar was on the *Leviathan*, and therefore this message came from her. On his exultation he had, on discovering the *Leviathan*, interjected his remarks, which the shore operators, not knowing its source, received as part of the message sent from the ship.

During the voyage I spent the entire time talking with the sick and wounded. I wish time permitted me to relate all the interesting stories they told me of their experiences. Desperately wounded, as some of them were, all were cheerful and thankful that they had escaped at all. One of the happiest was a young chap from Jersey City with one foot half gone. On his crutches, he hobbled about the ship, telling of his exploits and entertaining his comrades with songs and ditties.

After a remarkably smooth passage we reached New York in the early morning of September 19.

And now that the fight has been made and won allow me for a moment to revert to the tragic struggle. The world probably never before has witnessed such a dramatic transformation as that which took place between the spring and fall of 1918. In April and May, America and Europe were living upon the hope that the armies of Britain, France, and Italy would hold back the invading Germanic hordes until the United States could concentrate its enormous resources of men and material which would ultimately bring victory. It was a question whether America could come in time to save the situation, and we did not arrive a moment too soon. The people of Germany were as exultant as the people of the allied countries were depressed. While the Kaiser was proclaiming "the greatest hour in German history," and talking of the "shining German sword," his diplomats were preparing to remap the world on the basis of a "dictated peace." Yet within four months, as the result of military achievements unsurpassed in all the history of warfare, the scene was reversed; the foe which bid defiance to all the world in May, came in November, beaten and broken, to sue for peace.

In this greatest war of recorded history the heroism of men never reached a higher plane. The war was won, not by the President or the Secretary of War or the Secretary of the Navy or by any admiral or general; victory was achieved by the American soldiers and the American sailors, privates in the ranks and by the privates at home, the American men and women producing the sinews of war and creating the moral power behind the fighting forces.

It was the individual soldier and sailor, inspired by love of liberty and imbued with the spirit of freedom, acknowledging no superior power, but in the consciousness of his independence standing erect before his Maker and his fellow man, the strongest manhood in the world.

On this eve of a new era in world politics, in an alien land, is the mad war Kaiser. Dissipated are his dreams of world conquest; at his feet, broken, lies the sword with which he was to dictate the pence of Europe. In his nightmare he stands again in the land of ashes and of dead men's bones, beholding his legions which he thought invincible hurled back again and again as they dash against the ramparts of liberty. He looks across the shell-torn ground strewn with his mangled dead, and there beyond those fields on which his armies twice paid the toll of defeat, stands Paris, and behind Paris is Rome, and behind Rome is London, and behind London is Washington. In maddened anguish there comes the vision of what might have been, but 6,000,000 bayonets guarded the way and hurled back their defiance, "You shall not pass."

On this winter's day, somewhere in the valley of the Rhine, somewhere in Alsace-Lorraine, somewhere in northern France, the Stars and Stripes are flying. They are kissed by the golden sunbeams, messengers from on high, in the effulgent light of victory for God, for civilization, and for country. They fly in the triumph of a holy cause, glorified in their rededication to human rights.

When we behold that flag let us remember the words of St. Paul, uttered 2,000 years ago. Facing the angry mob which beset him, he said: "Beware how ye molest me, for I am a citizen of Rome." In that warning he epitomized the power and the determination of the great empire of ancient days whose protecting arm stretched to the ends of the earth. To-day the American flag, the symbol of the unity, the purpose, and the will of a mighty people, proclaims to all the world the admonition, Beware how you molest him who renders me allegiance, for he is a citizen of America.

The answer:

Rest ye in peace, ye Flanders dead.
The fight that ye so bravely led
We've taken up. And we will keep
True faith with you who lie asleep
With each a cross to mark his bed,
And poppies blooming overhead,
Where once his own life blood ran red.
So let your rest be sweet and deep
In Flanders fields.

Fear not that ye have died for naught.
The torch ye threw to us we caught.
Ten million hands will hold it high,
And freedom's light shall never die!
We've learned the lesson that ye taught
In Flanders fields.

—R. W. Lillard.

Your flaming torch aloft we bear.
With burning heart our oath we swear
To keep the faith, to fight it through,
To crush the foe or sleep with you
In Flanders fields.

Sleep on, ye brave. The shrieking shell,
The quaking earth, the startled yell,
The fury of the battle hell
Shall wake you not, for all is well;
Sleep peacefully, for all is well.

—C. B. Galbreath.

They kept the faith and fought it through.

APPENDIX.

WAR CASUALTIES OF ALL THE NATIONS.

[By Walter Littlefield, from Current History.]

The following table gives the authentic figures regarding the man power employed and the casualties suffered by the 16 nations which were officially mobilized for the war and took active part in it. There is as yet no record available concerning the casualties suffered by the three new nations which came into being through the war or by little San Marino, which sent a gallant 300 to help Italy beat their common enemy. The rest, however, is upon record.

Mobilized strength and casualty losses of the belligerents.

UNITED STATES AND ASSOCIATED NATIONS.

Nation.	Mobilized.	Dead.	Wounded.	Prisoners or missing.	Total casualties.
United States	4,272,521	67,813	192,483	14,363	274,659
British Empire	7,500,000	692,065	2,037,325	360,367	3,089,757
France	7,500,000	1,385,300	2,675,000	446,300	4,506,600
Italy	5,500,000	460,000	947,000	1,393,000	2,800,000
Belgium	267,000	20,000	60,000	10,000	90,000
Russia	12,000,000	1,700,000	4,950,000	2,500,000	9,150,000
Japan	800,000	300	907	3	1,210
Roumania	750,000	200,000	120,000	80,000	400,000
Serbia	707,343	322,000	28,000	100,000	450,000
Montenegro	50,000	3,000	10,000	7,000	20,000
Greece	230,000	15,000	40,000	45,000	100,000
Portugal	100,000	4,000	15,000	200	19,200
Total	39,676,864	4,869,478	11,075,715	4,956,233	20,901,426

Mobilized strength and casualty losses of the belligerents—Continued.

CENTRAL POWERS.

Nation.	Mobilized.	Dead.	Wounded.	Prisoners or missing.	Total casualties.
Germany	11,000,000	1,611,104	3,683,143	772,522	6,066,769
Austria-Hungary	6,500,000	800,000	3,200,000	1,211,000	5,211,000
Bulgaria	400,000	101,224	152,399	10,825	264,448
Turkey	1,600,000	300,000	570,000	130,000	1,000,000
Total	19,500,000	2,812,328	7,605,542	2,124,347	12,542,217
Grand total	59,176,864	7,681,806	18,681,257	7,080,580	33,443,643

But this only refers to the soldiers who died or were irreparably maimed. Civilians were even greater sufferers, not only by engines of war but by famine, disease, and massacre. There were those who were killed by direct military causes; those who died from indirect causes.

In the first category we have:

Americans slain on the high seas	692
British subjects slain on the high seas	20,620
English men, women, and children the victims of air raids and bombardment	1,270
Belgians butchered or deprived of life in various ways	30,000
French butchered or deprived of life in various ways	40,000
Neutrals slain by the U-boat	7,500
Total	100,082

In the second category we have: American civilian lives lost by U-boat, mines, etc., include all from the one lost on the British ship *Falaba*, March 28, 1915, till the four lost on the American steamer *Lucia*, October 17, 1918. British lives lost in the same way include 6,500 members of the mercantile marine not listed as naval casualties. The 7,500 neutral lives also lost are led by those of Norway's death list of 5,120 seamen. The total of 4,000,000 Armenians, Greeks, Jews, and Syrians massacred by the Turks is the latest official estimate of the American Committee for Armenian and Syrian Relief. The number of Armenians massacred has been variously estimated at from one to three million. This is probably an exaggeration. An estimate of 300,000 is based on the following facts, published in the Horizon, of Tiflis, and the Artzakank Parisi (Paris); still the natural increase in population in the unaffected region might tend to increase this total: When the war began there were fewer than 3,000,000 Armenians in all Turkey, Transylvania, and Galicia. In Transcaucasia the Armenian population increased from 1,000,000 to 1,207,000; in Ciscaucasia, from 30,000 to 80,000; in European Turkey, from 400,000 to 500,000; and in Transylvania and Galicia, from 15,000 to 25,000. Supposing that this increase were entirely due to refugees, we have 367,000. Now, for the region affected by massacre: First comes Turkish Armenia, with its predominant Kurd population, where before the war there were 650,000 Armenians and to-day there are 32,000, a decrease of 618,000; northern Persia had 100,000 and to-day has 51,000, a decrease of 49,000; showing a total decrease in two regions of 667,000, and a grand total decrease of 300,000 (667,000 minus 367,000):

Armenians, Syrians, Jews, and Greeks massacred or starved by the Turks	4,000,000
Deaths beyond the normal mortality of influenza and pneumonia induced by the war	4,000,000
Serbian dead through disease or massacre	1,085,441
Total	9,085,441

All this gives a military and civilian mortality directly or indirectly the product of the war of:

Military deaths	7,781,806
Civilian deaths	9,185,523
Total	16,967,329

Estimated cost of European war.

Allies:	
France	$44,500,000,000
Great Britain	40,640,000,000
Italy	11,600,000,000
Serbia	399,400,000
United States	24,500,000,000
Russia	17,500,000,000
Central powers:	
Germany	38,750,000,000
Austria-Hungary	20,000,000,000
Total cost	197,889,400,000

Loans by United States to allies.

Country.	Credits established.	Cash advances.	Other charges against credits.	Balances under established credits.
Belgium	$192,520,000	$173,380,000		$19,140,000
Cuba	15,000,000	10,000,000		5,000,000
France	2,445,000,000	1,970,000,000	$200,000,000	275,000,000
Great Britain	3,945,000,000	3,696,000,000		249,000,000
Greece	15,790,000		15,790,000	
Italy	1,210,000,000	1,061,000,000		159,000,000
Liberia	5,000,000			5,000,000
Roumania	6,666,666		5,000,000	1,666,666
Russia	325,000,000	187,729,750		137,270,250
Serbia	12,000,000	10,605,000		1,395,000
Total	8,171,976,666	7,098,714,750	220,790,000	852,471,916

ARMY STRENGTH, SUPPLIES, ETC.

[War Department, office of the Chief of Staff, Statistics Branch.]

1. The total Army strength November 1, 1918, was 3,665,000 as compared with 190,000 April, 1917.

Registrations for the draft totaled 28,709,000. Of these 10,481,000 were, on the first draft age basis, of from 21 to 31 years, and 13,228,000 were on the second basis of from 18 to 45 years.

Slightly over 2,800,000 of the registrants were inducted into military service. In addition, there were approximately 878,000 voluntary enlistments.

2. Total embarkations through November 8 were 2,048,000.

3. Equipment—purchased and shipped:

Clothing, etc. (pieces).	Purchased.	Shipped.
Blankets	18,630,000	2,592,000
Breeches and trousers, wool	16,048,000	4,080,000
Coats, wool	11,852,000	3,333,000
Drawers, winter	32,893,000	9,679,000
Overcoats	7,587,000	1,321,000
Shirts, flannel	21,295,000	4,909,000
Shoes, field and marching	25,948,000	8,439,000
Stockings, wool, light and heavy, pairs	85,906,000	26,501,000
Undershirts, winter	28,000,000	9,248,000

4. Rifles: Through October, 1918, a total of 2,137,000 model 1917 rifles had been accepted from the various plants. There were, in addition, about 1,000,000 other rifles in Army use or stored.

5. Munition production through October, 1918:

a. Small-arms ammunition: Ball cartridges (caliber .31), 2,420,000,000 rounds; ball cartridges (caliber .45), 287,000,000 rounds.

b. Artillery ammunition: Total manufacture of light, medium, heavy, railway, and trench, 63,884,000 rounds.

6. Animal purchases: Horses, 304,005; mules, 146,813.

7. Transportation equipment:

a. Standard and narrow gauge locomotives, 5,044 ordered, 1,589 shipped overseas; standard and narrow gauge cars, 100,160 ordered, 40,976 shipped overseas.

b. Miles of track built in France: The General Engineer Depot ordered by November 1 enough rail to lay 7,500 miles of track, of which one-half had been shipped. This material was for additions to and adaptations of existing French system. In addition, enough rail for about 1,000 miles of narrow-gauge track was shipped for lines in back of the trenches.

c. The Army had in use the following number of trucks and other vehicles: Trucks, 83,000 (plus many trailers); motor cars, 16,000; motorcycles, 27,000; bicycles, 22,000. Of these, 55,000 had been shipped and 12,000 were ready for shipment.

8. Hospitals: When the armistice was signed we had a total of 217 hospitals in use, most of which had been especially erected. Their distribution was as follows: In the United States, 80; in France, 104 base, 31 evacuation, 1 special head surgery; in Siberia, 1. The total capacity of the hospitals in France was 220,204.

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THE DEVASTATED REGIONS OF FRANCE.

[Commercial Attaché Pierce C. Williams, Paris, from Commerce Reports.]

A few days after the armistice with Germany was signed I accompanied French Government officials and industrialists on an extended trip over the devastated region. The tide of invasion had receded only a few weeks previously, and, for the first time in four and a half years, it was possible to see what the German occupation had meant in the way of destruction.

We visited Lille and the important spinning and weaving district of which it is the center. The Germans held this part of France from September, 1914, until October, 1918. We spent an entire day inspecting one pile after another of twisted steel and crumbling brick. They were all that remained of some of the most productive coal mines of France. At other times we wandered through the shells of buildings that had been systematically pillaged of their machinery by the Germans during their four years of occupation. The third day, for hour after hour, with scarcely a halt, we sped over roads that crossed the old battle field of the Somme. At frequent intervals we passed by low, grass-grown, moldering heaps of stones. We knew these to be the remains of former prosperous "communes" or villages, because their names could be read in large white letters wherever there was a piece of wall still standing. The armies had been compelled thus to identify the ruined towns in order that their men might not lose their way as they moved back and forth over the abandoned and blackened country. In a large part of the territory we traversed the only signs of human life were the occasional rusting sheet-iron shacks, around which loitered British or French patrols. They had been left behind to tend the lines of communication that rolled away like straight white ribbons toward the French frontier, whither the German forces were retiring.

War has now departed from the land we visited, but it can still be adequately described only by the name the soldiers gave it when it was the prize of battle. It is still "no man's land."

EXTENT TO WHICH AMERICAN COOPERATION WILL BE NEEDED.

As a result of what I saw on that trip, and from what French industrialists engaged in organizing the work of restoration have frequently told me, I have no hesitation in saying that the collaboration of American finance and industry will be called for. But I must qualify this statement slightly by saying that the actual flow of orders to other than producers of raw materials, like copper, zinc, iron and steel, cotton, leather, industrial oils, lumber, etc., may be slower in materializing than the American manufacturer of industrial equipment perhaps expects.

My reasons for making these two assertions will, I hope, be apparent from a reading of what follows.

A glimpse of the devastated region is sufficient to convince one that the united efforts of the industrial world would be required to restore in our day what the Germans destroyed. But in estimating the volume of business that American factories may receive in the near future, it is necessary to go into the subject a little more in detail. It is important for our business men to realize just exactly what reconstruction signifies to the French nation.

The average American business man is apt to think of reconstruction as a task which, while unquestionably immense in its proportions, is yet comparatively simple in methods of execution. He is apt to imagine the devastated region as a clean slate, so to speak, awaiting only sufficient labor and material for the work of restoration to begin.

With such a picture in his mind it is natural for him to imagine that there must be an immediate need for new and up-to-date sewerage and electric-lighting systems in cities and towns that have been damaged. It is equally logical for him to think of the damaged French railways as ready for the installation of new rolling stock, new steel bridges, and new signaling apparatus. He is likely to picture the thousands of damaged houses as affording an opportunity for the sale of builders' hardware. Destroyed factories naturally suggest to his mind the need for new labor-saving appliances of all kinds. This, after all, is the image that is conveyed by the word "reconstruction," which we Americans ordinarily employ to describe the French problem.

WHAT THE FRENCH UNDERSTAND BY "RECONSTRUCTION."

But the French task is much more than mere physical rebuilding, and the term the French employ to describe it indicates how vast the job looms up in their imagination. "Reconstitution" is the word the Frenchman uses, for what his nation has to do is practically to reconstitute, to re-create, to make over, in all of its varied aspects—so far as it is humanly possible to do so—the community life which, before the war, abounded in the now war-ravaged region.

The fact that in much of the invaded territory there is a considerable population without means of livelihood introduces a human element that must determine the methods adopted by the French Government and the order in which areas and industries are reconstituted. Obviously the reconstitution of an inhabited area must take precedence over that of an uninhabited one.

To appreciate this point it is necessary to recollect that there are, roughly speaking, two sorts of devastation in the area which the Germans, at one time or another, overran. Each kind introduces a distinct problem in reconstitution and must be handled in a distinct manner.

To begin with, there is a zone of practically complete destruction. Starting at the English Channel, in the northwest corner of France, it winds in a band of varying depth all the way across the country to the Swiss frontier. On an average, it is perhaps 5 miles deep. This band follows the "old front line." Over the Departments of Pas-de-Calais, Nord, Somme, Aisne, Marne, Meuse, Meurthe-et-Moselle, and Vosges it cuts a hideous gash in the fair face of France.

For months at a time during the past four years large sections of this line remained stationary; that is, there was no important action, but a rain of high-explosive shells descended unceasingly upon it, so that everything that stood above ground was sooner or later blotted out. Whenever a big offensive took place, such as the allied advance at the first and second battles of the Somme and the unsuccessful German attack on Verdun, the zone of destruction was widened and deepened. This area of wholesale destruction includes an important section of the French coal fields, of which Lens was a center. It also comprises several hundred square miles of fertile farm land in the Departments of Somme and Aisne, with all the towns and villages that dotted them, as well as the former populous cities of Arras, Douai, St. Quentin, Cambrai, Laon, Soissons, Rheims, and Verdun.

Much of this area may never be rebuilt. A large part of it is now uninhabited, the former residents being scattered all over France. Some of the farm land is so badly torn up by shells that it may never wave with grain again and may have to be given over to pine forests. The stone heaps, which are all that remain of several hundred picturesque "communes," may be left as an enduring monument to Germany's nightmare of world empire.

Between this zone, over which the battle swayed for more than four years, and the French frontier there is a section which, while it lay under the German paw for four years, was not, generally speaking, fought over. Consequently, it has not been damaged to the same extent or in the same devastating way. The area in question contains the cities of Lille, Roubaix, Tourcoing, Armentieres, and Valenciennes—all important industrial centers. It also comprises a part of the coal-mining field as well as an important steel-making district. This area was, in fact, the most highly organized industrial region in France. A large part of its French population is still there.

It suffered damage in two ways. Cities were bombarded during the German retreat last October. Except in a few cases, like that of Valenciennes, the resulting injury was not irreparable. The most serious damage suffered by this region was by reason of the systematic pillage and the wanton, deliberate destruction carried out by the Germans during their four years of occupation.

In the vicinity of Valenciennes there are a number of coal mines. Until the final German retreat they were kept in more or less continuous operation. The Germans, just before their departure, blew up with dynamite the hoisting apparatus and power plants. We saw several such during our visit of examination. In many cases, fortunately, the damage is not serious.

Steel works, metal-working establishments, chemical works, brewerjes, and sugar refineries were the special target for German hate in the occupied area. After stripping them of their machinery in a search for metals, from sheer lust of destruction the invaders blew up the buildings. This condition prevails over a large area. Whether these last-mentioned industries will ever be rebuilt will depend upon many factors.

THE HUMAN PROBLEM FACED BY FRANCE.

Let me illustrate this point by citing the case of Lille. Its population is about 250,000. When the Germans evacuated Lille in October, this population was left without either food or employment. The night our party arrived in the city it was being provisioned with food brought all the way from Paris in motor trucks.

We were informed that the textile mills, for the most part, had not been irreparably damaged. What the Germans had done was to requisition everything they could locate in the way of copper, bronze, zinc, leather, rubber, and other raw materials of which they were in dire need. To obtain these materials they stripped the textile spindles and looms of their copper bearings, their leather belts, etc. At the time our party visited Lille most of this machinery was completely out of service. Now, if the French problem of reconstitution were not so urgently and compellingly a human one, the French textile manufacturer might prefer to scrap his old machines and purchase new. But while awaiting delivery of the new plant what would become of the people of Lille and its environs? They must immediately be given employment; and so, wherever possible, spindles and looms are being repaired with whatever is available, so that work can be resumed, even though it be on an extremely inefficient and uneconomical basis.

All over that portion of the devastated region which is still inhabited the problem of reconstitution must be faced in this same manner. Plants that are so badly damaged that they must be completely rebuilt will probably have to wait some time before they can be given attention. In the meantime, factories which perhaps ought to be scrapped and rebuilt, but which can with slight expenditure be put into shape to employ the local working people, are being repaired and put into operation.

In the case of certain cities and towns which formerly were important commercially and industrially, the French Government may have to decide whether it is justified, for the time being and under existing circumstances, in attempting to restore them at all. This is especially the case where the civilian population was long since evacuated and is now settled in other parts of France.

HEAPS OF DÉBRIS MARK SITE OF ARRAS.

Arras, the "chief place" of the Department of Pas-de-Calais, is a city that possibly may never be rebuilt. Before the war it numbered perhaps 30,000 inhabitants. It was not an important industrial center, but it was the seat of departmental government.

Although the city was never in possession of the Germans, there is little in its outward appearance to distinguish it from St. Quentin and other cities that were. It was under bombardment more or less continuously for more than four years. There is not a house in Arras that has not been damaged by shells.

CITY OF ST. QUENTIN SHATTERED AND SACKED.

The city of St. Quentin affords another illustration of the impossibility of immediately rebuilding a badly shattered city. Before the war it was the industrial capital of the Department of the Aisne. It had numerous textile plants, printing establishments, foundries, machine shops, agricultural-implement factories, etc. Its population was about 50,000. I visited it a month before the armistice was signed, just after the British had driven the Germans out. There had been fighting in the streets between the British and German patrols. In several places, at street intersections, we saw the concrete blockhouses, with narrow horizontal slits, through which German machine guns had commanded the approaches.

The town showed the effects of the terrific bombardment it had recently undergone at the hands of both friend and foe. The railway station and the buildings in its vicinity were wrecked, as was the near-by cathedral, one of the loveliest in all France. Hardly a house in the city but showed in one way or another the effect of the bombardment by cannon and aeroplane. The civilian population had been evacuated before the Germans retired and the only inhabitants were some French soldiers. Private dwellings did not escape pillage by the German invaders. In perhaps 50 houses that I examined there was not a stick of furniture, not a picture on the wall, not an ornament left. Even the electric wiring and the gas fixtures had been carried off.

The industrial establishments of St. Quentin had likewise been sacked by the Germans. Outside one building I observed a neat pile of steel shafting with its hangers and pulleys. Apparently the Germans were unable, in the haste of their departure, to carry the material away with them. The cost of recquipping the industrial plants of St. Quentin alone would run into several millions of dollars. But the destruction in the city is so universal that it may not be possible to do any restoration for some months to come. In any event the rehabilitation of the city must proceed very slowly, and as there is not a large civilian population to be taken care of immediately the reconstruction of St. Quentin may have to be deferred until more pressing problems are on the way to solution.

RECONSTITUTION OF AGRICULTURE—COOPERATIVE ASSOCIATIONS—FARM MACHINERY.

Among these more pressing tasks are the reconstitution of agriculture and the restoration of the coal mines.

In bringing the agricultural industry of northern France back to its former fruitfulness the use of modern farm machinery such as America produces so successfully will doubtless play an important part. The dearth of horses would seem to make the farm tractor absolutely indispensable. The shortage of labor likewise will make the use of labor-saving farm appliances desirable.

Here the peculiar position of French agriculture must be taken into consideration. It is said that there are more than 4,000,000 individual landowners in the country. This means that each farmer's parcel of land is small. The appearance of the French village indicates this. The houses are not built upon the occupant's own land, as in America, but are huddled around a church. Each peasant cultivates his little piece of land, which may be some distance from the village.

The result of this system of small holdings is that the French peasant is not financially able to purchase expensive farm machinery. In the devastated region his difficulty is accentuated by the fact that such capital as he possessed before the war has been destroyed.

Therefore, in order to market any considerable quantity of American farm machinery in connection with the reconstitution of agriculture in the devastated section of France, account must be taken of the necessity for selling to cooperative associations among the peasants. Without some system of purchasing farm machines in common, it would seem difficult to build up a very large business in France. The French Government is alive to the situation and is assisting the formation of these cooperative farmers' associations. Farm implements may, perhaps, be purchased by the Government for distribution among the cooperative societies.

In certain sections, moreover, agriculture provides the raw materials of industry. The sugar mills of the Aisne are fed with beet root grown locally. It would be useless to rebuild the destroyed sugar factories before beet root could be produced by the peasants of the region.

COAL MINES WRECKED AND FLOODED—TASK OF RESTORATION.

A basic industry the reconstitution of which has already begun is that of coal mining. The necessity for restoring to productivity the damaged coal mines of northern France is obvious. Coal is the food of French industry, for there is no water power in the north of France that can be utilized in its place. Without coal it would be idle to reconstruct the damaged electrical power stations, and the resumption of life in the industrial establishments of the devastated region would be equally impossible.

The task of repairing the coal mines is in itself an enormous one. As stated above, a large portion of the coal-mining field was in the battle zone for four years. Not only were the surface works destroyed by gunfire but the deliberate dynamiting by the Germans of the concrete lining of the shafts resulted in flooding the underground workings.

At one of the leading mines of the Lens Coal Mining Co. which we inspected the French engineers said the water was not more than 50 feet below the surface, and this particular shaft was nearly 1,500 feet deep.

Before there can be any thought of purchasing coal-extracting machinery for use underground the mines must be pumped dry of water. This work alone may take a year in the case of certain mines. The French engineers hasard no guess as to the condition in which the underground workings will be found after the water is pumped out.

PLANTS THAT MAY NOT BE REBUILT.

A point that must be given due weight by the French in planning the reconstitution of industrial establishments that have been destroyed is whether, in view of developments in the particular industry since August, 1914, it is economical to rebuild them on the old sites. The ability of such factories to compete must be taken into consideration. In many cases the owners of industrial plants located in the invaded section are dead. In that case the plants may never be rebuilt, or they may be merged into others created during the war outside of the war zone. Questions of this sort are coming up all the time, and their decision may delay rebuilding in many cases.

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FRENCH LOSSES IN PRODUCTIVE AGENCIES.

The French Government recently published an estimate of the losses due to the war:

In farm implements, to replace the losses they would need about 51,000 side-hill plows, 33,000 other plows, 56,000 cultivators, 30,000 mowing machines, 115,000 farm wagons, 28,000 harrows, 50,000 rollers, 18,000 hoes, 36,000 seed drills, 13,000 fertilizers, 16,000 beet extractors, 21,000 winnowing machines, 18,000 horserakes, 32,000 reapers and binders, 53,000 root cutters, etc.

With regard to the cattle lost, it is very hard to get at the exact figures, but in 10 departments in 1913 there were 607,000 horses, whereas in 1915 there were only 242,000, or a loss of 60 per cent. Of cattle of all kinds, there was a loss of 850,000, or 55 per cent; of pigs, there was a loss of 380,000, or about 55 per cent.

The loss in wheat amounts to about 1,300,000 acres. The loss in hay amounts to about 850,000 acres.

The total damage to the soil, to live stock, to crops, to forests, tools, etc., is estimated at $2,000,000,000.

Before the war France used 59,407,000 tons of coal a year, with an addition of 9,166,000 tons more in coke equivalent. Of this, France produced about 40,844,000 tons and 5,357,000 tons of coke equivalent, the rest coming from abroad. Of this amount, 27,398,000 tons of coal came from the Valenciennes Basin. In all, something over 70 per cent of the total coal supply of France came from the invaded regions, and very much the best quality of coal at that. About 140,000 men were employed in those mines in the invaded regions out of 293,208 coal miners for all of France. This means, with their families, three-quarters of a million people were largely dependent on the coal mines. Over $200,000,000 of machinery has probably been destroyed.

Before the war the total production of iron ore in France was about 21,918,000 tons, of which 19,639,000 tons came from the Briey and Longwy Basins in the Meurthe-et-Moselle; that is, 90 per cent of the total, of which 16,500,000 tons was in the hands of the Germans. The miners who were employed in these invaded mines, with their families, represented at least 150,000 people out of employment. It is interesting to know that just before the war the total of iron production of the Germans was 35,941,000 tons. In the United States it was 63,000,000 tons. Over half a billion dollars' worth of machinery has been destroyed, including that of steel and iron mills.

The textile industry consisted before the war of about 7,530,000 cotton spindles throughout France, of which 4,500,000 were in the region invaded by Germany and of which almost all were either destroyed or carried back into Germany and France. Out of 2,365,000 wool spindles, 2,000,000 were in the invaded districts. Out of 550,000 linen spindles, 500,000 were in the invaded regions and destroyed or removed. The same is true of looms, of which there were 140,000 in France, and over 81,000 of these were in the invaded districts. Over $120,000,000 of machinery has been destroyed.

Out of 210 sugar refineries in France, 140 have been destroyed by the Germans. Out of 3,000 brush factories, 2,000 have already been destroyed. Over $25,000 of machinery has been destroyed.

Electric power stations, totaling 300,000 kilowatts, have been destroyed with an equipment loss of $50,000,000.

Breweries have had over $25,000,000 of machinery destroyed.

In machine shops $100,000,000 of machinery has been destroyed. In foundries, etc., $60,000,000 of machinery is gone.

None of these damages include land or buildings. Furthermore, almost all of this machinery costs three times as much to replace today, so that it can safely be said that $4,000,000,000 worth of machinery will be needed to replace that destroyed or carried away. This includes the stock and raw materials damaged and damage done to the mines.

Before the war France manufactured 3,000,000 tons of cement a year. In February, 1918, she was manufacturing only 400,000 tons, which amount since increased and has later diminished through the difficulty of securing coal; a good proportion of this was in the invaded departments.

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DEVASTATION IN THE WAR ZONE.

Edward de Billy, Deputy High Commissioner of the French Republic, in an address at Baltimore on December 28, stated that though France had regained Alsace and Lorraine, even this was outweighed by the losses.

Resorting to figures, he declared that 26,000 factories in the French districts occupied by the Germans were destroyed or stripped of their machinery; that thousands of miles of farm land, devastated by shells, was made unfit for cultivation; that the net loss in ship tonnage, through sinkings and enforced curtailment in production, was 670,000 tons, and that the money cost of the conflict, in appropriations and public debt, aggregated 158,000,000,000 francs, or $31,600,000,000.

1,400,000 MEN KILLED.

"Besides 1,400,000 of our young men who were killed or died of wounds or illness in this war, we have a great number whose physical ability has been seriously impaired. Add to these the number of our prisoners who came back in such a terrible physical condition as to render them unfit for any sustained effort, and we come to a total loss, for the work to be started in France, of about 2,500,000 men, who were mostly among the youngest, ablest, and strongest, as well

as the most spirited, of our people—a terrible loss for a country of less than 40,000,000 inhabitants.

"Our agriculture has perhaps suffered more heavily, if possible, than any other branch of our economic activity. The number of cattle, which in England increased by 4 per cent, has in France decreased by 18 per cent. The production of milk has decreased by 63 per cent. The number of sheep has decreased in France by 38 per cent. The number of pigs has decreased by 40 per cent. The soil of France is also in an impoverished condition, having been for four years mostly tilled by very young and elderly men, below or above the age of military service, and by women whose physical strength was not equal to the splendid spirit they have shown in this war.

"The part of France occupied by the Germans," he said, "produced four-fifths of our woolens and included 80 per cent of our weaving industry. During the four years of their occupation the Germans willfully and methodically destroyed all that was in their power to destroy. They not only requisitioned, as at Roubaix and Tourcoing, where they commandeered stocks of wool worth 300,000,000 francs—requisition is one of the rights of war, and of that we can not complain. But what is against all right and against all international law and agreement is the destruction and stealing of property; and this is what the Germans did.

"As to our cotton industry in the north, the German invasion has cost us 2,100,000 spindles and 13,200 looms, and in the east 125,000 spindles and 6,905 looms. This robbery was not carried on in cotton and wool factories alone. Iron works, machine works also, were looted, the useful equipment—engines, rolling mills, machine tools, even structural steel—having been methodically taken away and set to work again in the iron works in Germany. Mines were flooded, the surface plants dynamited, the workmen's dwellings destroyed.

"Taxes have been raised to an unprecedented level. While in 1914 the total of our national budget was slightly above 4,000,000,000 francs, the taxes will have given in 1918, without the invaded regions, which were, as you know, by far the richest, over 9,000,000,000 francs. In 1917 the civilian population in France paid in taxes $38 per capita, as compared with $9 paid in 1916 by Americans.

"France before the war had a public debt of 34,000,000,000 francs. The interior debt has increased during the war by over 100,000,000,000, the last public loan having produced 27,000,000,000. We have received from Great Britain and the United States loans amounting to 25,000,000,000 francs.

"So that France starts on this new period of her history with a burden of public debt increased on account of the war by more than 125,000,000,000 francs, a figure which will certainly be further increased in order to liquidate the war expenses.

"I had to give you these figures in order to make you realize the seriousness of the situation in which France stands. We are all ready to face our problems with the utmost confidence and will to succeed, but we are aware that they are grave problems.

"First, while the whole world jumps into peace work and resumes trade, we have a part of our territory which is unable to produce. We can not maintain our place in the markets of the world. We can not get our own supply of coal. We are obliged to maintain restrictions in order to protect our industry while in course of rehabilitation, and as long as a normal order of things is not reestablished.

"Secondly, in order to get from outside markets the raw materials and finished products we need, we depend largely upon foreign ships.

SHIPS THE BIG ITEM.

"Thirdly, trade and shipping are closely connected. We have to rebuild our foreign trade, which has been stopped during the war on account of lack of tonnage and lack of industrial production.

"Fourthly, one of our best assets is our colonial empire. We have pacified and established our rule in vast countries, whose natural supplies are enormous, and whose populations are willing to work, and are loyal, as they have shown by giving us a total contribution of 918,000 men during the war, of which 680,000 were fighters and 238,000 workmen in our war factories. With her possessions, France is actually the fourth of the great countries of the world as regards territory, the fifth as regards population. But we must develop these possessions. In order to perform that duty we want ships. And again, our merchant fleet has fallen to almost nothing. So in order to fulfill her duties France has two great objects to achieve—to rehabilitate her devastated regions and to build ships."

THE DEVASTATED ZONE.

In a cablegram received in Washington on the first day of 1919 Mr. Hoover told of the wanton destruction wrought by the German Armies in northern France. He stated that the work of rehabilitation had been made so difficult by enemy outrages that the whole region would have to remain for a time under the care of the Commission for Relief in Belgium.

"The entire industrial life of the region," he said, "has been destroyed by the Germans. There is scarcely a single factory that can be operated without a very large portion of new equipment. The coal mines are totally destroyed, and the network of railways in this region has been rendered almost hopeless of reconstruction for many months.

"The German method of destruction was to bend every single rail by exploding a hand grenade under it, rendering it useless for all time. The Grand Canal du Nord, which connects this section of France with the Belgium canal system, and is the natural entrepôt for goods for Antwerp or Rotterdam, was itself practically the fighting line for months, and is so badly damaged that it will take fully a year for its complete reconstruction."

Discussing the general conditions, Mr. Hoover stated that the relief was based upon the allowance of food to the value of about 35 cents a day to the destitute, those having any resources or employment being required to pay. The whole extent of destitution was not yet known, but appeared to include fully 60 per cent of the people. His cable added these details:

"The population of this area at the moment of the retreat was about 1,500,000, there being also about 300,000 refugees in Belgium, who are returning, and some 500,000 refugees in France, all of whom are anxious to return to their native soil.

"The destruction of some 20 principal towns and literally hundreds of villages renders the return of these refugees a stupendous problem. Every effort is being made to restrain them from going back until some systematic provision for shelter can be completed, but they evade all official urgings, and the roads are a continuous procession of these pitiable bodies. Thousands of them reach their villages to find every vestige of shelter destroyed, and finally wander into the villages farther back from the acute battle area, which are themselves already overcrowded to a heart-breaking degree.

"In order to remedy this situation to some extent the Commission for Relief in Belgium has obtained the services of 150 volunteers from the American Navy and is taking over a large amount of second-hand barrack material from the Navy and Army. Those barracks are in course of erection adjacent to the destroyed villages under the superintendence of the Navy volunteers."

REBUILDING THE RAILWAYS.

In the whole zone of their retreat—speaking only of the one line from Paris to Berlin beyond Compiègne—the Germans blew up all the bridges with vast quantities of explosives, which destroyed not only the arches and metal flooring but the piles and abutments to their very foundations. They blew up the switches and even the tracks for dozens of kilometers at a stretch, either by putting a bomb under every other joint, thus making every rail useless, or by tearing the rails from the ties with a sort of plow dragged by a locomotive, which put the road into such a state that nothing can be done but clear the ground completely and replace the wreckage with entirely new construction.

"While they were in the very act of negotiating the armistice—that is, up to November 10—the Germans continued this work, and—still speaking only of the line from Paris to Berlin—it was in these very last days that they blew up, among other works, three of the large bridges by which the line crosses the curves of the Sambre between the French frontier and Charleroi.

DESTROYED 1,731 BRIDGES.

"This systematic destruction extended to 1,731 bridges, of which 371 exceeded 10 yards in length; it included 338 railway stations, almost all the telegraph and telephone lines, waterworks, warehouses, etc. It may be said that by means of slow mines this destruction still continues. Recently there was an explosion in our station at Seclin that cut our road with a chasm 25 feet in diameter and 10 feet deep. In this regard Belgium has suffered less, or at least has suffered in a much less extensive region, corresponding to the much smaller distance over which the enemy was driven back by force before the armistice.

"The devastated area in France covers approximately 6,000 square miles, in all about 2 per cent of France, with a total population in normal times of about 2,000,000 persons. This is about equal in area to Rhode Island and Connecticut.

"Along the route of the German retreat during the last four months in the Somme, the Aisne, and the Oise region the devastation is complete. The area southwest of Ham, which before this time had been only partly destroyed, was wholly laid waste. Cities like Ham, Noyon, Nesle, Roye, Soissons, Dormans, and Fismes are almost completely destroyed.

"In the Marne region 258 communes are damaged, including a total of 3,500 buildings entirely destroyed and 12,000 destroyed in part. In the Meuse region 50 communes are damaged, with about 1,800 buildings completely destroyed and nearly 700 destroyed in part. In the Vosges, 53 communes were damaged, with a total of 1,256 buildings completely destroyed and nearly 2,000 partially destroyed.

"In the Marne and Meuse regions nearly all the destruction occurred during the battle of the Marne along both sides of the line, where the fighting was heaviest. The destruction by shell fire was intense. This makes a belt about 150 miles long, wherein the destroyed area is anywhere from 5 to 10 miles wide.

"North and east of Nancy it again is very serious, almost all of it done by shell fire. In this area are included cities like Luneville, Gerbeviller—which was systematically burned—and a part of St. Die. Thence the line runs down to the border of Alsace, where buildings, and especially those in the town of Thann, were destroyed."

Mr. Hoover, in speaking of the devastation in Belgium, says:

During the four years of occupation there has been a great diminution—probably more than one-half—in the total number of cattle and hogs. It can be said almost literally that horses have disappeared out of Belgium, there probably not being 15 per cent of the original animals left.

Investigation proves that industrial and residential destruction in Belgium varies greatly in different localities and with different industries. For instance, out of the steel furnaces in Belgium, 35 or 40 have been deliberately destroyed by the Germans in their determination to end the Belgian steel industry. Many of the textile mills have been put out of commission, either through deliberate destruction and removal of machinery or by removal of the copper and brass parts and electric motors. Some of the textile mills of the more antiquated type of equipment apparently did not appeal to the Germans, and they can be gotten into action at an early date. The Germans seem to have focused themselves on the modern equipments.

COAL INDUSTRY SAVED.

The glass industry has been but little interfered with, and the stern promise of retribution by President Wilson seems to have saved the coal industry except for very few mines, although actual explosives and wires were laid in place for the destruction of a large number of the mines. The President's warning seems to have created a sudden change of heart.

There are some 300,000 French refugees in Belgium, driven out of northern France by the Germans. They have been cared for out of the meager stores of the Belgians and by the commission for relief in Belgium. They are, however, like homing pigeons in their resolve to return to their native villages. As there is no transportation, the roads southward into France are a continuous stream of these pitiful groups of men, women, and children, pulling their carts and trudging through the cold and wind toward their destroyed homes.

THE WILD CAT MARINES IN BATTLE.

Maj. Frederick Palmer, the distinguished correspondent, has written a vivid description of the Battle of Belleau Wood, and by his kindness and through the courtesy of Dodd, Mead & Co., I am permitted to publish it.

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After having been drilled all summer, the regiment of marines which had come with the first convoy in June was withdrawn from the First Division. Although this was most depressing to every officer and man in that it meant that they would not be among the first in the trenches, the service to which they were assigned was in one sense a compliment to qualities which are as inseparable from them as their gallantry. The marines have traditions, associated with ship's orderliness, which are kept up by competent veteran noncommissioned officers, that make them models in soldierly deportment. An isolated squad or platoon, from the

very nature of their training, keeps to form when doing guard duty or police work. Pride of corps sticks to a marine sentry or messenger though he is separated from any commanding officer.

From all directions our widespread organization was calling for details of this dependable character, and the marines were chosen to meet the demands. Marines acted as couriers across the Channel; they guarded our construction projects and our property; kept order on piers and in laborers' quarters; acted as police in Paris and at the ports, carrying out provost marshal's instructions with polite firmness in keeping with the impeccable neatness of their uniforms. In their hearts they were wroth, but they were too proud to allow it to influence their correct deportment.

Somewhere between the duties of the Army and Navy the sea soldiers who had survived from the days of the three-deckers have kept a place for themselves. In strict military logic, they have a place neither in a modern navy organization or in a modern army organization. From time to time efforts have been made to legislate them out of existence, but they have the trick in practice of keeping a place for themselves on the quarter deck and making one in all expeditions overseas owing to the friends they gain and their conduct whether charging machine guns or policing an ammunition dump. They think well of themselves in order to insure that the rest of the world will think the same.

Talk to them of being absorbed into the Army and they exhibit a willingness to be agreeable by absorbing the Army if that will serve the purpose of doing away with the anomaly of a separate military organization in France, with its own recruiting and replacement system and pay department. They had to go into the Army uniform under duress of necessity when no material for their own forestry green was forthcoming, but though in khaki they kept their globe and anchor insignia on their collars. When I asked a Marine sentry in front of one of our Army offices in Paris how he liked his work, he said:

"Very well, sir. It will fit me for a job after the war. I can wear a striped waistcoat and brass buttons and open cab doors in front of a New York hotel." His ingrowing misery lest he be kept at his peaceful assignment was natural but groundless. He would have his fill of fighting; for the Marines were kept in mind as one of the factors in the consummation of a plan. After the withdrawal of the Marines, the First Division was brought up to full strength as a complete regular division composed of the Sixteenth, Eighteenth, Twenty-sixth, and Twenty-eighth Regiments of Infantry, and the First Artillery Brigade of the Fifth, Sixth, and Seventh Artillery Regiments.

On the 3d of June the German confined his attacks for the most part to the northward of us, but was evidently feeding in machine-gun groups on our front with a view to future mischief. On the early morning of the 4th we took over from the French a 12-mile front, with the Third Brigade, holding the Fourth from its left to the west of Belleau Wood. The Twenty-third Regiment, and the Marine Battalion and the Fifth Machine Gun Battalion which had been sent to fill the gap at Colombs were returned to the division, which now became a united family holding its own sector. We might do as we pleased, then, in that 12 miles of battle line, with no reserves between us and the Marne; and this meant we would not leave the Germans to do the attacking.

GERMANS' EXCELLENT POSITION.

From Hill 204 all the way to our right the Germans had the advantage of observation. Our roads, particularly, were under the watchful eyes of German balloons. German aviators scouted our positions all too freely. I saw them flying so low over our Infantry that the iron crosses on their wings were visible to the naked eye. They dropped bombs in broad daylight. The country is uneven, with many woods and the usual open fields between woods and villages. In front of the Marines the Germans held the important tactical point of the village of Bouresches and the railroad station, and they had filtered into the adjoining Belleau Wood and around it as an ideal cover for machine nests. This Bouresches-Belleau line was excellent for the purpose of the enemy if they were to stabilize their positions and cease to advance, or as a jumping-off place for continuing their offensive.

The spirit of rivalry between the Third (a regular brigade) and the Fourth (the Marines) was very pronounced. No regular was going to admit that any quarter-deck soldier was in his class; and no Marine—he considered himself as belonging to a corps d'elite—was going to allow any question that he was not a little better than any regular to get abroad, if he could help it. Marine officers might not have had the schooling in tactics of the regulars, but being plain Infantrymen, with no expectation of developing into Joffres or Hindenburgs, they considered that at least they were not afraid to fight. People had said that the Marine Corps was an anachronism and ought to be eliminated from our armed forces. Its honor and future were at stake there before Bouresches and Belleau Wood. If it were to get more recruits as a small organization, which is hardly accepted by the Army and not, perhaps, altogether by the Navy as a little brother, it must be worthy of those recruiting posters at home.

On the 4th, the first day that they were in the front line, the Marines repulsed a German attack. At dawn on the morning of the 6th, the second day after they were in the line, they made an attack in conjunction with the French on the left to rectify the line in the direction of Torcy, and they went through machine-gun fire and shell fire to their objectives, doing it all according to pattern. This might have been enough for a day's work, but it was only an introduction to what was to follow.

MARINES DISREGARD RISKS.

The way to act in an active sector was to be active, according to Gen. Harbord's idea; and the obvious place for a first offensive on our line was in front of the Fourth Brigade, to the regret of the Third Brigade. At 2 p. m. an order was typed off at brigade headquarters for an operation beginning at 5 p. m., which was to take both Bouresches and Belleau Wood. There was a brief, raking artillery preparation of the wood and a concentration on Bouresches, which was to be stormed in the second phase after Belleau had been won.

In the name of the months that they had drilled, of the hardships endured, of the wearisome vigils of a harassing trench sector and of their corps, the Marines could have only one thought—success. Senior officers could not consider the niceties of the craft in not exposing themselves. They must put their personal weight and influence into this, their first attack. Every man was too preoccupied to think of risk. With the jauntiness of parade and the offensive zeal which had been long nursed became a burning desire set on the goal of that dark clump of trees and undergrowth ahead, they advanced into the wood.

At the very outset they met machine guns' fire, and out of the wood after they were in it came the persistent rattle of rifle fire, varied by veritable storms of machine-gun fire. Wounded began to flow back from the various ravines. Calls came for Stokes' mortars from the hidden scene of that vicious medley, along with the report that Col. Catlin had been wounded a half hour after the attack was begun. The machine-gun positions in the outskirts of the woods had been taken, but they were only the first lot. I have been through many woods where German machine gunners had ensconsed themselves, and none that I remembered afforded better positions for defense against any enemy in the wood or against one approaching it from our front.

HOW GUNS WERE HIDDEN.

Not only was the undergrowth thick but there were numerous rocks and ravines and pockets, all of which favored the occupant. There was nothing new in the system which the Germans applied, and which the allies also apply; but not until troops go against it for the first time do they realize its character. Its formidability is dependent upon the stoutness of heart of the defenders, their craft, and the number of their guns. With the thicket so dense that it prevents a man being seen even 50 feet away, a weapon with a range of 3,000 yards is easily screened. Each gun has its zone of fire, in relation to the others, to sweep every square yard of the ground, and fire is held until it will have a maximum effect. There is no flanking any gun when the supply of guns is sufficient, for hidden guns are waiting to turn their blasts on the effort, and guns, furthermore, are placed in such a manner as to give both lateral and plunging fire.

Crafty veteran soldiers might have decided, as soon as they had developed the character of the defenses, that the cost of going on was too high, and a veteran, crafty staff, accepting the dictum of experience, would have adopted more arduous measures. Such woods as these had been many times submitted to hurricanes of shells that had uprooted all the young trees and left only the limbless, slashed trunks of old trees standing before they were taken, particularly in former days before we came to open warfare tactics.

A CASUALTY EVERY MINUTE.

When they could locate a gun our men concentrated their rifles upon it. The crackle of bullets passing about the gunners' heads, even if they were not hit, might stop them from firing, but meanwhile some other gun was cutting the twigs around the heads of the marksmen. The wounded crawled back behind rocks or into ravines or to any place where they could find a dead space. The instinct of our men, caught in such a mesh of fire which was every minute causing a casualty, was to come to close quarters, and they wanted to go free of packs, of blouses, shirts open, rifle in hand, with their faith in their bayonets. Hot cries accompanied the flashing drive of the cold steel through the underbrush. Many bayonets might drop from the hands of the men who were hit, but some bayonets would "get there." And that was the thing—to get there.

We have always fought in this way. It is tradition and our nature. "We go to it," as we say. German gunners ran from their guns in face of such assaults; others tried to withdraw their guns; others were taken in groups huddled in ravines as youth, transcendent in its white rage of determination, bore down upon them and gathered them in, or, again, drove the bayonet home into gunners who stuck to their guns until the instant that forms with eyes gleaming leapt at them. Our young platoon commanders had the task of leading all to themselves in the thickets among the tree trunks, as they always have in such fights, while senior officers wait on the result. When night came we had to yield some of the ground which we had taken or to remain without cover in the face of the blasts, but we had securely established ourselves in a portion of the wood.

HOLD WITH CAPTURED GUNS.

With captured German machine guns, men whom we could not reach with food and water held their gains, taking food and water from the American and German dead.

Although the first phase of the attack had not been fully accomplished, it was determined not to hold back the other companies, which had been waiting under shell fire that only aroused their eagerness to advance, from undertaking the second phase. Theirs was a simpler task than that of their comrades who had stormed the wood. Artillery preparation in clearing the way was, of course, more serviceable against a village than against a wood, and neither machine gun nor shell fire delayed the precision of the movement across the open into the village where, with the avidity of their zeal and the supple quickness of their litheness and youth, and in the elation of their first experience of the kind, our men cleared the cellars of Bouresches of all Germans in hiding and gained their objectives. Then they set about with equal energy in preparing protection against the retaliatory bombardment which was bound to come. Bouresches was solidly theirs when morning came, and they proved it by withering a German counter attack with their rifle fire and machine-gun fire. The Germans covered the roads to their rear with their artillery in revenge. A lone man could not approach the town without being sniped and shelled for weeks to come.

Meanwhile the Marines were there in Belleau Wood cheek by jowl with the Germans, who were doubtless slipping more machine guns into that portion of the wood.

The Germans must be made to understand that this wood belonged to the Marines, while the Germans, to discourage further attacks on our part, began gassing the approaches both to Bouresches and Belleau. In that era a real "hate" was on. We had grim work in removing our wounded and burying our dead and dangerous work in bringing up wagons over shelled roads and forwarding rations to the men in the front line, with the Third as well as the Fourth Brigade. But Bouresches sent back assuring news from its isolation. The water supply was good. The men had hot coffee, and they caught chickens and killed a hog and a cow. Their messages were so very cheerful out in that village crumbling under shell fire that you might have thought they were having a holiday in a summer resort. Wasn't it their village, and wasn't it the first the Marines had taken?

Before our next attack on Belleau we gave it a more powerful artillery preparation, and we had learned afresh the lesson that guns will not reach machine-gun nests in the midst of congeries of bowlders. A machine gun is a small target when well placed, and a direct hit, or a very close hit, of a high explosive is required to put it out of action. Shells burst prematurely upon striking tree trunks and before reaching the earth.

When our men arrived at 5 o'clock on June 11 they found resistance at least softened. Some machine gunners who had not lost their nerve after the hour's artillery pounding stuck to their posts; others at the sight of our men breaking through the thickets threw up their hands; others went in hiding among the bowlders, no longer soldiers, but children frightened by the lightning. The nests that held us back formed islands in our progress which had to be cleaned up by special detail.

HOW PRISONERS WERE TAKEN.

Let it be repeated that the very irregular bow shape of Belleau Wood, no less than the character of the ground, favored the defenders in forming cross zones of fire. It was a strange and fierce business

there in the dense brush, where men of the same squad could not keep touch with one another at times. Happily we had located some of the nests before we attacked, but those farther ahead we could locate only when they began firing or when we stumbled upon gunners who were still hugging cover after the bombardment, or simply had concluded that it was better to be a live prisoner than to die for the Kaiser. They were taken in groups and singly, taken standing behind trees and hugging the holes they had dug in the earth. Some were trying to retreat with their guns; others fled precipitately, and many kept serving their guns. It was a hunt of man-hornet nests, with khaki the hunter and the German gray the hunted. Our men fought even more fiercely than in their first attack. They wanted to finish the Belleau Wood job this time, but this was not to be, though we had taken 30 machine guns, 2 minenwerfers, and 300 prisoners.

After advancing to a certain point we met the machine-gun nest system working too thoroughly to permit of further effort except at unnecessary sacrifice. The colonel who had made the attack said that with further artillery preparation he believed that he could master the rest of the wood. When the guns had again done their duty his men, whose eyes glittered now at the very mention of Belleau Wood, made another attack with the ardor of men who have faith that one more fierce effort would do the trick. They took more prisoners and more machine guns. For a time the news that the runners brought back indicated the success was complete.

Now, the enemy, smarting under our success, began bringing up reserves and concentrated a terrific artillery fire on Bouresches, the wood, and all the neighborhood. The wood had become a point of honor with the Germans no less than with the Americans. They saturated it with a bombardment of yperite gas, which clings to the earth and the trees and burns flesh that comes in contact with it. As the Germans could hardly send their own men into this area for two or three days to suffer the effects intended for us, we withdrew all except a small maintaining force from Belleau. Meanwhile the Germans, with their reserves, made an attack in force on Bouresches. By all criterions this attack ought to have succeeded. Some Germans penetrated the edge of the village, and a good many of them remained there—dead. Our machine-gun fire and rifle fire drove all others who escaped back to their lines. At the same time, under cover of their artillery, the Germans had reinforced their machine-gun units which remained in the edge of the woods, probably thinking that as soon as the effects of the yperite were over recovery of the wood would not be difficult.

For 12 days now the Second Division had been in the line and the Marines had put all their physical and nerve vitality into the effort against Belleau. They had gone into the fight in the fettle of race horses. Glimpses of the approaches to the wood during an attack, when retaliatory shell fire descended on wounded and German prisoners alike, formed the most vivid picture of war that had yet been seen behind the American lines. The prisoners regarded their captors in a kind of wondering and tragic stupor. Their staff had told them that the Americans were untrained, a mob, negligible. Yet these Americans had charged straight at their machine guns and then leapt out of the thickets with furious abruptness. They were untamed, wild, refusing to consider the rules laid down by the German staff for their conduct. Captured German intelligence reports, contradicting German propaganda, spoke of them only as needing more training to be first-class shock troops according to the German conception—which was a real German compliment.

The battalion which had made two attacks that had all but finished the task, suffering from machine-gun fire, mortar fire, shell fire, and gas, had reached the stage of exhaustion when nature overwhelms will; when, although a man says, "I'm all right; as good as ever," his eyelids droop as the sentence is finished and the next moment he falls dead asleep. This battalion must have rest; and the remainder of the brigade, with all its spirit and energy responding to the driver's hand, must also have some relief from the strain.

The Germans had been strengthening their remaining strongholds in the wood, and particularly one stronghold among a congerie of bowlders in a very dense thicket, with every avenue of approach covered by its fire. Units of the Third Division were to try on June 21 and 22 to force their reduction, but fortune was not with the attempts. Some of the German machine gunners, it was reported, had put on American uniforms, which enabled them for a time to deceive our own men as to the progress of our attacking parties, with resultant ambushes.

The Marines were put back in Belleau, relieving the regiment of the Third. The Germans still had access to go and come freely to their strongholds in the north end of the wood. It was an old trick with the Germans, this holding the edge and approaches of a wood with the main body protecting them from shell fire. On numerous occasions it had been successful. Gen. Harbord was determined that it should not be successful on this occasion. The Marines made another effort with very small forces, which failed; but in this effort they gained the knowledge for the final one that succeeded when all their preparations were correct in every detail.

As one of the reports that came back said, "Our men went through them like a bunch of wildcats." There could be no better description of what happened. That last rush, after artillery preparation, had a catlike ferocity, which put all thickets and all machine-gun nests behind it and looked out into the open beyond the object of three weeks of straining muscle, sleepless vigil, and desperate courage. Once we were among them, the Germans who remained alive bent to the storm. The 200 prisoners taken in that little area was a further proof of the importance attached to the wood.

Our attacks on Belleau Wood had been justified by the result. In all we had taken 700 Germans alive out of the woods and, severe as our casualties had been, the prisoners exceeded the number of our dead without counting the numerous German dead, which, in the cold accounting of war, was an unusual accomplishment. We had also proved our mastery over the enemy. We had set out to take a position and we had taken it, which was of infinite value to the morale of a young army and of corresponding influence in weakening that of an enemy when he faced our troops. Forever the Marines will consider the Belleau Wood as theirs, and in recognition of their title the French changed the name to that of Marine Brigade Wood.

HELLWOOD.

By the kind permission of the Saturday Evening Post, I am privileged to publish excerpts from a copyrighted article by Mr. George Pattullo, giving a most vivid description of the marines in battle.

A wonderful thing has come to pass. A little force of Americans—a mere handful—has put new life into the allied armies and raised the drooping spirits of two nations.

Bouresches and Bois de Belleau of themselves would not stand out in war's chronicle as military feats, for both were small affairs in these days of human tidal waves, and, desperate as was the fighting, there have been others as desperate, and will doubtless be many more. But the stout blows that the Second Division delivered in the month of June, with the leathernecks as the head of the hammer, can not be measured by their toll of boche dead and prisoners, by their capture of ground or guns or material; they must be gauged by their moral effect, and that has been tremendous.

I have never seen anything like it. The German offensives had been sweeping forward like a flood, lapping up territory here, then swerving to lap up there, but always coming on, so that their whole battle line drew inexorably nearer to Paris. The British had suffered cruel losses; the French were fighting with their backs to the wall. And American aid—where was it? On that they had banked for a year; on that they had built all their hopes.

For months and months the poilu had been fed abundantly with promises of American support and what the glorious allies from overseas would do when they got in—and all he had seen of them was in the training camps or in quiet sectors where the only activity was intermittent shelling, an infrequent raid, or minor operations carried out under French tutelage. Meanwhile the Germans drove against the allied front again and the poilu had to do the fighting. Where was this American aid? Was it to prove as illusory as the Russian? Small wonder that Jacques grew skeptical and angrily contemptuous of the newspaper propaganda which endeavored to stiffen the nation's morale by still more roseate pictures of what the United States would do in the future. It was always and always the future! When would they come in force and help bear the brunt?

Hope deferred maketh the heart sick. They had almost despaired of us. It is my firm conviction that our Army did not enter seriously into their calculations for this emergency; certain it is that the average French and British soldier had given over expecting substantial aid in the 1918 crisis. We saw their spirits go down, down, down.

And still the German hordes pressed on toward Paris. They veered and swirled; held at one point, they surged forward at another. Came word that they were in Chateau-Thierry. Men looked at one another in dumb foreboding. Where would they be stopped? And then suddenly the boche flood tide recoiled. The broad gap they had forced in the line was closed, and the magic news flashed throughout the army and nation that the French were counterattacking, that they were hurling the enemy back at critical points, and that the road to Paris was barred. How had it been done? An American force was mentioned in the first announcement, but Americans had shared in undertakings before, and the French remained unimpressed and apathetic until the full story of the part the Second Division had played came out several days later.

Then they went wild. From the channel ports to the remotest villages the news ran like a prairie fire. The Americans had stopped the boche—they had beaten him. In the darkest hour, just when it seemed that Hindenburg had opened a road to Paris and picked German divisions were developing the success, the Americans had smashed into them, and fighting in their own way, in the open, they had thrown back superior numbers, wresting from them positions that were essential to further advance. And they were holding those positions. Beating off all counterattacks they had reestablished the broken line.

Vive l'Amerique! The French let out a yell, gave a hitch to their braces, and went into the fray with fresh ardor. After all their disappointment their ally could fight! Not only could he fight, he was a bearcat at fighting; he asked nothing better than a tough job. That was the great, outstanding fact to the poilu. And suddenly, too, this ally began pouring men into France by the hundreds of thousands, until all the villages and valleys and roads were choked with stalwarts in khaki, and every passing train showed them grinning cheerfully through the windows. Instantly the whole French Nation rose to a frenzy of enthusiasm. Six months ago American popularity had fallen to low ebb; to the soldiery the overseas force were "Boy Scouts"; the French had grown to feel that America in the war threatened to prolong it without lifting any of the burden.

The First American Division was holding a portion of the Montdidier front. It was certainly a he sector; I was up there with them, and I know. What the communiques described as fairly active artillery fire took its toll of dead and wounded by day and by night. Now, holding the line under constant shelling is the toughest work soldiers have to do. The sum total of losses over a period of a month will usually exceed those suffered in a heavy attack, and the strain on the nerves is tenfold greater. This staunch old division, which has been the keystone of this man's army, naturally expected to be relieved. They had taken Cantigny by an assault that was a gem of precision, and had stubbornly held it gainst bombardment and counterattacks. Therefore it cheered them mightily when it was whispered that the Second Division was behind and would shortly take over. Officers from the Second even came up to make a reconnaissance, a step preliminary to a relief. Then the situation to the southeast became critical. The boche offensive was sweeping forward. His original intention had been to advance his front only as far as Fismes, on the Rheims-Soissons line, but success in the center so greatly exceeded expectations that the German command decided to develop it into a push for Paris, and swiftly threw an enormous mass of men into the breach. Already they were in Chateau-Thierry. Unless the enemy was speedily stopped the capital would be brought under his guns. And then what? In this emergency it became a question of what reserves to employ. The French generalissimo decided to send an American division.

The Second Division expected to move. They didn't know where, but they sensed a fight. The first orders were to break out at 6 o'clock on May 29, so they made all ready. Then they were to leave at 10 o'clock. Next came word that the start would not be made until the morning, so they bivouacked that night. It was 4 o'clock on the morning of May 30 when they climbed into their trucks and headed for the great battle. The men were jubilant. They had enjoyed a fine rest, in a fat land of green trees and fields of yellowing grain and burnt-almond-colored clover—a fair, quiet land of beautiful chateaux and well-ordered villages, of rich pastures grazed by sleek cattle. A considerable number of the men had been evacuated with grippe, but they were in first-class shape, and up on their toes for a whack at Heinie. Hadn't most of them been doing police work and construction jobs and other such things along lines of communication most of the time since arrival in France? They had. But now they had the chance to show what was in them! The long caravan of trucks took a route that brought them very close to Paris. In every town and village they threaded the people ran out to huzza and shower them with flowers. The population of this region had never seen American soldiers in any numbers, and here were camions pouring through the streets hour after hour, all loaded to the guards with big, husky, rollicking men in khaki, who laughed and joked with them and stuck flowers in their buttonholes, and behaved for all the

world as though bound on a picnic. And with them went guns and horses and mules and machine-gun carts beyond count.

The inhabitants guessed what all this activity meant—the Americans were going into battle. So they came running from their houses to run beside the trucks. Old grandfathers saluted and waved their hats; women threw roses or kept pace beside the wheels to talk and wish them "bonne chance"; the children scrambled wildly everywhere, shrilling "Vive l'Amerique!" half frantic with joy. It was a long, hard trip. Just before reaching Meaux they encountered the first of the refugees. Beyond that, from Meaux northward, the roads were crawling with them—an unbroken stream of heaped carts and plodding peasants, of bleating sheep, and swaying, rumbling cattle, weary unto death.

They saw toothless, doddering octogenarians in that line, and also babes at the breast. They saw there bedraggled, tear-stained mothers and strapping, broad-backed girls, sullen from fatigue and hate. Men long past the prime of life urged the tired horses forward, their women and children either perched amid the mass of mattresses and bedding and chairs and mirrors, of bird cages and rabbit hutches, of crucifixes and plaster figures of Our Lady, with which the carts were piled, or trudged along in the dust with the family dog and the cow. Some of the children wailed; some took it as an adventure. The very old just rocked in the carts, silently rumpling and rumpling their aprons. Up the road came the men, camion after camion, mile on mile. They passed this saddest of all processions under a pall of dust. The refugees stared at them apathetically, without enthusiasm, apparently without interest. They were sunk in the lethargy of despair. What did it mean to them now that soldiers from beyond the seas were going into the maelstrom up there? All was lost—homes, property, everything made precious by a lifetime's association.

THE REAL STORY OF CHATEAU-THIERRY.

The bulk of the division were in the trucks fully 30 hours. Some battalions lost their means of transportation while still far from the front, and had to bike it; but the American soldier has grown hardened to that. They reached some little towns behind the battle front at last and bivouacked. For bedding they had ponchos and one blanket to a man. The nights were cold, but that was nothing new to them. The men could hear the artillery booming in the distance like a heavy surf, and in the darkest hours of the night boche avions came droning overhead to drop bombs on adjacent villages. Yet the noise of battle was less than they had anticipated.

Up to this time the resistance offered to the German thrust had not been sufficiently determined to stop them. The plan of the French was to delay the enemy as long as possible by rear-guard actions until the arrival of reserves in sufficient strength to stabilize the situation. Therefore the Americans were to take up support positions on which the French would fall back, and then these positions would become a new front line. Such was the plan. "Why not stop them where they are?" inquired the American commander. Which was all very well, but how was it to be done? The French were plainly dubious about intrusting an enterprise of such importance to what they regarded as untried troops. To be sure, a regiment of the Americans had captured Cantigny; they had shown dash and courage and tenacity; that and other divisions had some fine performances to their credit. But the Battle of Cantigny belonged to the established trench order of warfare. It had been elaborately prepared, and French staff work had contributed to its preparation. It was rehearsed under the eyes of a French general, and French tanks and flame projectors and much French artillery had contributed to the success of the attack.

But this was different. Here was open warfare, whose aspect changed from hour to hour, a style of warfare demanding the highest form of military skill and initiative. They never doubted the pluck and willingness of our men, which had been proved on numberless occasions since last November, but they did entertain serious doubts of the ability of the American staff and unit commanders to swing it, solely because no American staff had so far been permitted to undertake an operation on its own. Consequently they demurred. Their proposal was to brigade the Americans among seasoned French troops. Then the allies could exact what toll they might while falling back. "Let us fight this in our own way, and we'll stop 'em," declared the American commander. The situation was growing hazardous; a few more gains and the boche could train his heavy guns on Paris. The French general consented. The Second Division could go in as a division, fight it out in their own way—and heaven have them in its keeping.

That is another reason why the battles for Bois de Belleau and Bouresches have such tremendous significance. They were fought in American fashion, under American leadership, with American artillery and machine guns, with American staff work to direct. It was the first time strictly American methods were employed against the Hun. And you know who won, don't you?

Thus the leathernecks, the Fifth and Sixth Regiments and the Sixth Machine Gun Battalion and the Second Engineers and two regiments of infantry, the Ninth and Twenty-third Army, together with the machine guns and all the artillery of the Second Division, found themselves on the edge of battle. They moved into support positions back of the French on June 2, one battalion, the Second, Fifth Regiment Marines, on a line from Hill 142 to Les Mares Farm and Bois de Veuilly; two other battalions, the First and Second of the Sixth Regiment, from Bois de Veuilly to Triangle Farm. There one of the infantry regiments joined on. That made a front about 7 kilometers wide. Almost immediately the boches made another strong push, and the French opposing them were forced slowly back. They began to filter through the Americans, whose support positions soon became the front.

About 5 o'clock in the evening of June 4 the enemy attacked anew toward the American left, where it joined on with the French. They advanced through a wheat field in platoon columns, in perfect order, flushed with many successes, confident of victory. And then the Americans opened up. They showered the oncoming waves with shrapnel until the fields seemed to be sprouting thousands of magnificent white daisies. Machine guns and rifle fire raked the German ranks. The leathernecks took careful aim before every shot. Unhurried, unflustered, they worked their weapons as though on the target range. French observers were amazed; they had never seen such rifle shooting. That soldiers should sight carefully in the heat of battle was something new in European warfare, where the rifle has grown to be something on which to stick a bayonet.

No troops could stand against that fire. The boches wavered, came on again. Why lie about the enemy? In mass formation they fight like brave men, none better. Twice they hesitated, stopped; twice they resumed the advance. Then they broke. They broke and started to crawl off through the standing grain. The Americans could see the wheat sway as though stirred by a stiff breeze, and they whipped those areas with bullets. What the leathernecks have they hold. That night their positions were intact, so they decided to improve them. They pushed out small posts. Followed several days and nights of heavy bombardment. Sleep was out of the question, and they had nothing to eat but "monkey meat," as they called the tinned, stringy Argentine beef, and bread and water. Not once during all the punishing work that followed did this battalion have a hot meal.

The situation was still precarious. The necessary withdrawal of the French had led to the abandonment of strong points, whose possession by the boches threatened our entire line. Heinie held Bouresches and the Bois de Belleau; he also had several mounts, which he used for machine-gun strongholds. Among them was Hill 165. On June 5 the Americans charged the position. They put the guns out of action, and then the boches counterattacked. They were beaten off. The American line now ran through the Bussiares Wood and along the edge of the Bois de Belleau. Next day came orders to move forward and take Bois de Belleau and the town of Bouresches, in order to run a straight line to Triangle Farm, where the command was dubious of the salient which existed.

The Bois is probably named after the town of Belleau. It stands on high ground, a jungle of trees and underbrush covering rocks and deep fissures. Somebody formerly used it for a game estate, for there is a hunting lodge in the northern corner of the wood—or there was. The artillery has probably torn it to shreds ere this.

Estimates are that fully a thousand boches occupied this fastness, and hundreds of machine guns were placed amid the rocks, up in trees, behind the piles of cut wood, in ditches and crevasses. The strength of the position was greatly underrated before our attacks were launched. Neither the number of machine-gun nests nor of enemy infantry was suspected, and the first assaults on the Bois did not succeed. Only one platoon, under Second Lieut. L. F. Timmerman, jr., succeeded in gaining the wood. Timmerman is a mere boy in years, but he dauntlessly advanced his small command beyond all other elements at this point, and led them in a bayonet charge against a stronghold. The enemy outnumbered them about 2 to 1, but they captured 2 guns and 17 prisoners. North of the Bois the Americans encountered a stiff resistance. Twenty boche machine guns were mounted on a plateau, and they turned a deluge of fire upon the attackers. Our men were held up. They took cover where they could find it and sent back word to the artillery to blow the plateau into kingdom come. The artillery did so. They did a beautiful job. When the Americans gained the crest by a swift dash it was to find the position destroyed and its defenders wiped out. But they were still outside the wood.

A CHORUS OF 200 GUNS.

Save for these small gains, the first operations against the Bois yielded no results. The Americans renewed the attempt next day, only to find their path barred by apparently impregnable machine-gun nests. During 48 hours they attacked and retreated, employing rifles and grenades. One company—the Eighty-second—lost all its officers; Maj. B. W. Sibley and Lieut. Bellamy reorganized it and charged under a hot fire. All to no avail. The troops were finally pulled out and 50 batteries of artillery got the word to wipe Bois de Belleau from the map. "Fini for that place," they promised, and turned loose a chorus of 200 guns. They pummeled it mercilessly, with such success that a small force of our troops was able to clean up a corner of the wood without much loss. But we are running ahead of the story. We left the Americans headed for Bouresches. Here they had better fortune; they took the town. It was a beautiful, sunny day. The air was sparkling. Millions of poppies flared amid the grain; the fields glowed like gorgeous crimson carpets. A short bombardment preceded the attack. Our artillery pounded Bouresches furiously with heavies and light stuff, and then a company of leathernecks—Ninety-sixth Company, Sixth Regiment—went forward in platoon waves, with companies of infantry on their flanks. These waves were made up of 12 men each at 5-yard intervals, with about 60 feet between waves. Automatic-rifle men and hand grenadiers composed the first and third; the second and fourth were made up of rifle grenadiers and riflemen.

Mark this: It was the American style of fighting throughout. There was no slow walk behind a curtain of fire, which is the regulation method of attack in trench warfare; the men had no barrage to screen them. They advanced by short rushes. A quick dash, and then down on the ground for cover—the sort of thing our soldiers have been taught for generations. They had to cross a little valley and a wheat field. A 3-inch gun and scores of machine guns immediately opened a withering fire on them. Men were dropping fast, but about 25 penetrated into the town. Then ensued one of the fiercest struggles of the entire series in this sector. The boches had machine guns planted at every coign of vantage—in the doors of cellars, on roofs, behind piles of débris. The leathernecks went after them; they went after them with grenades and rifle fire and the bayonet. They cleaned up the town and sent back word that Bouresches was in their hands, with the exception of the railroad station in a hollow beyond.

GO-GETTERS IN THE FIGHT.

It now became necessary to consolidate the captured positions and to get relief to the sorely pushed fore holding them. Another company was sent forward, which arrived in Bouresches about 9.45 at night. With them went two companies of Engineers, who showed themselves equally good at digging in or fighting. They did magnificent work.

The next thing was to replenish the ammunition supply. Second Lieut. William B. Moore, a former Princeton athlete, and Sergt. Maj. John H. Quick, medal-of-honor man, a veteran who has always been in the thick of every trouble he could reach, volunteered to take a truck load into the town. With 20 soldiers for escort they started. The road was pitted with shell holes, swept by artillery and machine-gun fire. Yet, despite the fact that they were in full view of the boches, the party carried their precious cargo into Bouresches without loss.

So much for Bouresches. They had not yet won Belleau Wood. It proved to be a much harder nut to crack. The task was given to a battalion which went in with 958 combat men and 26 officers, and they came out with 7 officers and 340 men. That tells the tale of itself—but they held the Wood. I have mentioned above how they captured a fine jumping-off place on June 6, consisting of a ridge in front of the Bois. Between them and the enemy was a stretch of fields, dotted with clumps of bushes; there was a considerable area of high wheat at their left. Poppies everywhere, flaming crimson in the sun. "We'll smash Bois de Belleau to smithereens!" the Artillery promised. "By the time we get through with it there will not be a blade of grass left." So at it they went. They pounded the position for a solid hour with 50 batteries,

both heavies and light. The Bois became a crashing, thundering inferno. Yet it was not wiped out, not by a long shot. The leathernecks discovered that it still held not only quite a few blades of grass but also plenty of trees and woodpiles and boche machine guns and boche infantry.

CHARGING THROUGH THE POPPIES.

The moment arrived. They charged across the fields, all among the flaring poppies. A perfect hurricane of fire greeted them. Numbers of the enemy had got inside our barrage with machine guns and worked them with disastrous effect on the advancing waves. But the leathernecks had orders to take the Bois, and they were going to take it. They rushed the machine guns and put them out of action; they bombed and bayoneted and killed the gunners. And now they were on the edge of the wood. One ear-splitting yell and they plunged into it. After that it was plain Indian fighting, with this difference, they had machine guns and grenades and such other modern improvements on the musket and the knife.

The Bois was a trackless jungle. Nobody knew what he would strike back of the next tree, and a woodpile, a crag, or a crevasse in the ground might hold sudden death. Therefore the leathernecks advanced as the forefathers of our Nation did against the redskin—from tree to tree, from rock to rock, now pausing to shoot, now dashing upon an enemy group to bayonet them. It was practically every man for himself, or, rather, each group for itself. In that impenetrable fastness it became impossible for officers to maintain touch with all the elements of their commands, so that the battle developed into a duel between individual initiative and carefully prepared defense—between American aggressiveness and German discipline.

There wasn't much discipline left among the boches when the leathernecks got close to them. They stuck to their guns pretty well so long as their elements remained intact. Just so long as they thought they had the advantage and could beat off the Americans they fought furiously. They showed here, as on innumerable occasions, that no troops in the world excel them in mass prowess. But the minute a group found itself isolated, with a bunch of red-necked Americans charging full toward them with bayonets at the poise, they wilted. Up went their hands. They came tumbling out of their shelters and holes bleating "Kamerad." That has been their record in nearly every fight, and seems to be typical of the breed; they fight like wolves—all together or not at all.

Numbers of them played 'possum. They dropped to the ground and pretended to be dead, and then when the Americans had swept past they rose and hurled hand grenades at them. The ruse swelled the boches' casualties amazingly; our men don't take prisoners of that kind.

I know of only one instance of a boche standing up to the bayonet. Nearly all of them broke and fled at the first sight of the steel. But there was one who was made of sterner stuff.

A leatherneck rushed at a German with the bayonet and the latter stood his ground. For a few minutes the two men fought desperately, straining every muscle. The American tried several thrusts; they were parried; he lunged and missed. Then, impatient of the delay, he abruptly shifted and swung the butt, crushing his adversary's skull.

It took some tall fighting, but they swept the enemy from Bois de Belleau. Belleau means "beautiful water." But the men of the Second Division have another name for the place. To them it will always be Hellwood. The boys tell me that scores of the enemy ran away with scarcely any clothes on. Some took off their boots and fled in their socks; why I don't know, unless they thought it would improve their speed.

You ought to see the booty now in possession of individual leathernecks. They've got some souvenirs that no bank in Wall Street could buy. In the collection are all sorts of articles stolen by the boches from the French civilians, and trinkets and cigarettes taken off British captives in a previous offensive. The boches had hidden amid their belongings old-fashioned frock coats, plug hats, women's dresses, babies' shoes, silverware, clocks, English watches, and French paper money—all of it pilfered.

Well, they dug themselves in and stayed there and fought off the enemy's counterattack for five days before being relieved. They were constantly shelled and gassed, but they stayed there. A 50-millimeter gun, which they dubbed "Quick Dick," played on them with direct fire, but they stuck it out. Quick Dick was located only about 600 yards distant, on the side of a ridge, and he earned his name because the shells exploded almost before the Americans heard the discharge of the piece. Boche avions came over Bouresches and the Bois at night and dropped bombs on the defenders, but they stayed there. The enemy tried to filter in on their left through the wheat fields, but they beat him off. And all the time they were living on "monkey" and bread and cold water, and not much of that. Not one hot meal did they get. All the while they went without sleep; between May 30 and June 18 hardly a man removed his clothes or his shoes.

Of a detail of 45 men sent back for chow, only 3 returned; the others were put out by shells, machine guns, or gas. Another detail of 30 was dispatched for ammunition; 6 came back. The carrying parties for wood and water fared almost as badly, and the wounded had to be gotten out under the same punishment. But the leathernecks stayed there. What they have they hold. The commander of this battalion tried new tactics to secure prisoners and weaken boche resistance. Convinced that the enemy had been fed by their command with stories of the brutal deaths they might expect should the Americans take them prisoners, on the theory that men who believe that would rather fight than surrender, he sent out soldiers from his command in the dark hours of the night to shout to the Germans in their own language that they would be spared and treated humanely if they gave themselves up.

Quite a number of the enemy accepted the invitation. One American soldier came in with 65 prisoners, who had voluntarily left their own lines to surrender. Another battalion commander was not so successful in this ruse. A few of the enemy came in, but others only pretended to give up, and then, when the Americans advanced to take them prisoners, opened fire. And what had become of all the inhabitants of this hell-swept area? The majority had fled, but I can tell you of the fate of two of them.

On the night of June 6 a company of leathernecks found an ancient couple still living on a small farm near Montgivrault Grand. It was the date of the attack on Bouresches; there was heavy fighting all over that region, and the shelling was terrific.

Both had long passed the allotted span of threescore and ten. They were feeble and doddering, but they would not leave their home. Though death threatened them every minute, they preferred it to facing an unknown world penniless and without friends. So they stayed. The soldiers fed them as best they could and tried to provide for their safety, but they themselves were on their move into battle. Consequently they were obliged to leave them behind when they passed on. On their return some days later nobody was about the place. They hunted and hunted; they shouted. No response; the farm was deserted. They never saw the old man again. He had disappeared. But they found the poor old grandmother. She had hanged herself with a ribbon to a rafter, and they buried her reverently, those battle-weary soldiers, there beside the home she would not leave. That's war.

WITH ODDS OF FIVE TO ONE.

The American division was opposed at all times by two German divisions and sometimes by three. The boches had the One hundred and ninety-seventh, the Two hundred and thirty-seventh, and the Tenth in the line when our troops relieved the French. Before a week elapsed they were so badly cut up that the German command was obliged to throw in the Twenty-eighth and the crack Fifth Guards Division, both of which had been in training for the offensive in the vicinity of Noyon, but had to be diverted to this sector. It was an unconscious tribute to the Americans that the division which crossed the Marne first in 1914 should have been chosen to "stop them," and guards had strict orders that the Americans must not succeed at any cost. But a short while later the Twenty-eighth were asking for relief, and the guards had their fill.

To have used up five enemy divisions is a pretty fair contribution to the great battle for one American division. "These Americans," remarked the general in command of the French corps—"these Americans are peculiar. They always want to do a thing their own way. All you have to do is to tell them what you want—not how it should be done—and they'll do it."

As for the boche command, it was obliged to belittle the American effort in order to continue the hoodwinking of the German people, which has been led to believe that we are negligible as a military factor. Therefore, they made light of our achievements, reporting severe repulses of the Americans. But a well-known German newspaper let the cat out of the bag. After deriding our men as soldiers, it naïvely concluded: "Furthermore, one is forced to the conclusion that the attack by the Americans was made only under French command, for alone they would not be intrusted with such a hard task. We are, therefore, of the opinion that the Americans there—probably one division—did not make this attempt alone, but were put in among the French front line."

That is the enemy estimate. Among the allies there are those who say merely that the Americans performed well in a series of hot local engagements—and there are those who say that the American division saved Paris, just as the Canadians long ago saved Calais.

The testimony of the civilian population of the region that lay between the boches and the capital is significant. In a letter to the commanding officer of the American forces on the Marne the mayors of Meaux and the neighboring districts said:

"The civilian population will never forget that, beginning in the month of June, when their homes were threatened by the invader, the Second Division victoriously stepped forth and succeeded in saving them from the impending danger. The mayors who were eyewitnesses of the generous and efficacious deeds of the American Army in stopping the enemy advance send this heartfelt expression of their admiration and gratitude. Let us leave it at that."

FOLLOWING THE TANKS TO ST. MIHIEL.

[By Philip Payne. Mr. Payne was a correspondent for months on the western front. He was an eyewitness to the battle he here describes.] (Published by permission of Treat 'Em Rough Magazine.)

It had been called No Man's Land for the past four years.

On one side of the barren waste the French had crouched for months and months, fighting with stubborn fury to keep the Germans from grasping more of the precious soil of France. They had succeeded, and the campaign in that fair sector of the land had resulted in a stalemate.

The Germans were on the other side of the devastated area, an area where the shattering shells had taken the place of the peasants' plows which had tilled the soil for centuries.

With all the thoroughness that characterizes the Teuton, a wonderful system of defenses had been constructed in that sector. Several hundred yards in front of the German trenches there were entanglements of barbed wire; sharp-pointed steel stakes; trip wires, which would explode mines when touched by the foot of man; and last, but by no means least, concrete "pill boxes," with solid walls from 3 to 5 feet thick, and with slits in them through which a stream of bullets could spray death into the ranks of any so foolish as to try and break through.

Back of the first line of German trenches came more of the obstructions I have just described. Behind all this system of defense, a system that was considered by its makers to be absolutely impregnable, was one of the fairest parts of France. For four long years, since the Prussian hordes had started to goose step across Europe on the march that was to have made the world bow to kultur, this soil had been in alien hands. The very thought made the French warriors boil with anger. The homes of many of those poilus were in German hands. Often they gazed across that span of land. They longed for the day when they would get the order to attack, but that day was a long time coming. Foch had looked over the land and knew that he did not have the men to sacrifice to regain it.

A GIGANTIC STEEL WEDGE.

Like a gigantic steel wedge, part of the German Army was thrust into the side of bleeding France. St. Mihiel, Hattonchatel, Vigneulles, and scores of other prosperous places were occupied by the hated enemy. From grim old Mont Sec, on one side of the wedge, the Germans looked down on the forces of the allies. On Mont Sec the French had sacrificed 15,000 lives in 1914 to hold back the German avalanche. It was commonly reported that the mountain had been made into a second Gibraltar by the enemy.

When the latter part of the summer of last year approached, Hindenburg and his aides found need in other areas for some of the divisions that had been confronting the French in that sector between Toul and Verdun. The Prussian chieftain had absolute confidence in the system of defenses he had planned. He knew that Foch had investigated and had decided it would cost too many human lives to cross the barren belt. He left it to the care of about three German divisions, which were supported by a large number of Austrians. Hindenburg was sure the French would not attempt an attack. He was right—the French wouldn't, but the Americans would.

In August, when most of the French pulled out under cover of night from the St. Mihiel sector, the Americans went in there. It was a

"quiet sector," they were told—a place where the men of the First, Second, Forty-second, and Twenty-sixth Divisions could get a much-needed rest after the struggle they had been through at Chateau-Thierry and on the Ourcq and Vesle Rivers.

The doughboys in those crack shock-troop divisions were told they were being sent there for a rest. Down in their hearts those fighting Yanks knew better. "Any time they send us any place there's goin' to be sumthin' doin'; I'll say so," said a doughboy with the marking of the First Division on his shoulder. Mr. Doughboy had guessed right.

Gens. Pershing, Petain, and Foch had looked over that land again; and they'd decided the time had come to take it back to the bosom of France.

DAME RUMOR A BUSY PERSON.

Dame Rumor is a busy person in France, or she was in the days when La Guerre raged. The cafés and boulevards of Paris heard that the Americans were going to start the grand offensive near Toul. A month before the drive started Paris had heard of huge American cannon which would drop shells into Metz. Oui, la, la, the Americans were going to give the boche a taste of what Paris had suffered when the "Big Bertha" bombarded that city daily. Paris liked the reports of the proposed American offensive. In the cafés and on the boulevards, where Louis and Gaston gathered to sip their vin blanc, they mouthed over the reports. Les Americains have a million soldiers there; 5,000 aeroplanes and hundreds of big guns, said the rumor mongers. Paris listened and believed. Since Chateau-Thierry and the Bois de Belleau Paris would believe anything about the Americans. Nothing was impossible with those wild Yanks.

In France there were many German spies. They heard these rumors. Some American officers on leave in the French capital talked a little; perhaps more than they should have. The spies gleaned a few facts. Reports got back through devious channels to Hindenburg and the other leaders. Hindenburg had confidence in his defense system in the St. Mihiel sector. Pooh! Those verdamnt Yankees could never break through there. To make sure, however, he sent two more German divisions down there. August faded away and September came, and still no drive had started. Paris began to scoff at the rumor mongers. Rains—miserable, drizzling rains of the ground-soaking type—began to fall steadily. Hindenburg's henchmen brought to him more reports of activity behind the American lines, but the Prussian war chief scoffed. The Americans couldn't start any drive in that sort of weather. It would be impossible to move the artillery. He needed all the men he could get, so he started to move the two divisions back to a more active sector.

WHEN HELL BROKE LOOSE.

Then, shortly after midnight, September 11, hell broke loose—hell in the form of some 2,500 pieces of artillery which the Americans and French had placed along the St. Mihiel sector. At 5.20 on the morning of September 12 the Americans went over the top. That night Paris was electrified by the published report that the Yanks had gone through the "impregnable" boche defenses and were sweeping on to St. Mihiel. Already scores of French villages were in the hands of "Les Americains." All France heard the glad news the next morning. Reports came back that the American losses were astonishingly light. France wondered how even those Yanks had taken that ground so quickly with the sacrifice of so few lives.

THE TANKS WERE THE ANSWER.

Under cover of darkness the unwieldly steel-clad monsters had been brought up to a position near the front lines.

When the barrage—a barrage that was described as one of the most wonderful ever laid—was lifted that eventful September morn, the tanks lumbered into action, and 50 yards behind the lumbering leviathans the doughboys swept on.

Even at this late day Gen. Pershing has not revealed the number of tanks that took part in that drive. From personal observation I should think that each battalion of infantry had 8 of the machines assigned to it. With a total of about 10 Yankee divisions taking part in the drive, and about half that number in action while the others were in support, I should judge that at least 360 of the big tanks and scores of the baby variety were used.

Over these elaborate defenses the tanks crunched their way, leaving in their wakes masses of tangled barbed wire; sharp steel stakes driven into the mud instead of into human flesh, and the mines attached to the trip wires exploded with slight damage before the infantrymen reached them. And the pill boxes on which Hindenburg placed so much faith—what of them? The tanks had swept right up to them and wiped their crews out of existence. Some of the professional gloom dispensers, without which no army is complete, argued that the operation of the tanks would not have been so successful in the St. Mihiel sector if the Germans had not failed to back their outer defense system up by more artillery.

Be that as it may, the tanks were successful there. Army men who know what they are talking about told me that the tanks saved at least 10,000 American lives when they brushed aside or, to use a better expression, trampled down the Prussian obstructions.

DEFENSES LITERALLY PULVERIZED.

The day after our tanks and Infantry had made "no man's land" some man's land again, I walked over the ground. I was amazed at the multitude of defenses the Germans had prepared, and still more amazed at the manner in which the Yanks had gone through. Barbed wire, trip wires, steel stakes, and concreted trenches seemed to have been literally pulverized.

I do not believe official figures have been given out to show the exact number of American casualties in the St. Mihiel drive. From what I was able to learn on the field there I do not believe that more than a thousand American lives were sacrificed. I dread to think of what the toll would have been but for the tanks. Don't think that the men of the tanks did all of the "treat 'em rough" stuff there. Very distinctly I remember seeing two tanks lying where they had been struck by 77's. The boche gunners had scored direct hits in those two particular cases, and twisted masses of steel were all that remained of those tanks.

On another occasion I was driving one of H. Ford's well-known brand of machines over a road that had been laid through a swamp. A tank had slid off the edge of that road into the swamp, and for once the caterpillars couldn't pull it out. The members of the crew were using language that wasn't exactly nice.

I drove the flivver over to the edge of the road and looked at the tank and its crew for a moment. Then I said, "Do you fellows want me to tow you out?"

Immediately I was extended an invitation to go to a place where woolen underwear is not needed. But to get back to the more serious part. All America knows now that Mount Sec fell on the second day of the St. Mihiel drive. As rumor had reported it, the doughboys who swarmed up its sides found the place a veritable Gibraltar.

How, then, did it get captured so quickly, you ask?

Simply because the tanks had smashed the defenses in front of it and on either flank—defenses which were as elaborate as I described in an earlier part of this story. The main force of Germans had to withdraw from the mountain or be surrounded and have to stand siege. They knew the latter step would mean capture in the end, so the majority escaped and left a handful to hold the heights.

By kind permission of Maj. Greene, Three hundred and second Engineers, I am permitted to publish these letters:

PRAISE SPURRED THE GALLANT SEVENTY-SEVENTH—MAJ. F. S. GREENE SAYS MORE CREDIT AND LESS CENSURE CARRIED DIVISION OVER "IMPOSSIBLE" DRIVE TO SEDAN.

SPIRIT DROPPING OFF.

The Seventy-seventh, I believe, was always a little above the average. We were well disciplined and a well-drilled outfit when we left Camp Upton, but during our training period with the British I fancied that I detected a slight falling off in the spirit of the men. While in the Baccarat sector I became convinced of this, and looking for a reason I realized that since leaving the States the division as a whole had not received one word in orders that might be construed as a compliment.

Note that this applies to the entire division, not to the Engineer Regiment. When we took over the Vesle sector I believe our spirit—I will not say morale—was at its lowest. We had been worked hard from the moment of landing on French soil; we had done both ill and well; always when a mistake had been made the division heard of it in strong words; silence only followed our good work. This state of affairs continued for about two weeks after our arrival on the Vesle.

During this time we had been in two "shows," as the English put it, and had suffered heavy casualties. Then there came a marked change as sharp as it was sudden. We advanced, and an order was published commending the conduct of the men. Immediately the spirits of the division rose and when a further advance was ordered the boys went about the dangerous business with a dash that was new to us.

FACED BATTLE CHEERFULLY.

Again their work was commended, and again the men showed instant response. So it continued, whenever possible a word of praise—when censure was necessary it was given in moderation—until by the time we had reached the Argonne the boys were ready and anxious to undertake any task that might be demanded.

Their push through the Argonne Forest, considered next to the impossible by the French, has become historical, and before many days the second phase of that offensive—the drive from Grandpre on the Aire to Sedan on the Meuse—will be recognized as one of the great offensives of this war. The endurance, the privations, the dangers that the boys of the Seventy-seventh faced cheerfully during this drive can not be exaggerated. Every yard of that advance was resisted by an enemy who has no equal in rear guard warfare, no superiors in the handling of machine guns and artillery.

I had time to study the second phase of this drive, an opportunity to get a bird's-eye view of the entire engagement, for while I did not rejoin my regiment until a few hours after hostilities had ceased I rode over the field from the starting point to the finish. I know how difficult was the terrain for making an advance and what meager cover it afforded for the men.

LEADERSHIP WON BATTLE.

As the shell-scarred miles of that advance slipped past me and I saw the uncounted numbers of wrecked trucks, limbers, and guns, the sad total of dead, both horses and men, my wonder grew at the speed and the fortitude our boys had shown. Only a gallant, dashing body of troops could have done it, troops animated by the highest spirit and by absolute confidence.

It would have been an impossible task for soldiers whose morale had, day after day, been lowered by a constant stream of criticism. What had brought about this remarkable change in our men? What had made this drive possible? There is but one answer: Leadership, leadership in which they had confidence, under a commander whom they respected and admired. The name of this leader is Gen. Robert Alexander, who took over the division on the Vesle and who, by his ability as a leader wrought such a remarkable change in every unit of his command.

This man has erased the words "Fall back!" and "Retreat!" from his copy of the drill regulations and has written the word "Forward!" in their places. When an objective is to be reached he spares neither animal nor man, officer nor soldier, but neither does he spare himself. He is always on the go; one is likely to meet him anywhere at any time during the day or night, anywhere except at the rear.

ALEXANDER SET EXAMPLE.

It was the example he set, his utter disregard of either personal comfort or danger, as well as his words of praise that put the dash into his men. He says he is proud to be in the division and every officer and man in it will tell you that we are proud to have Gen. Alexander as our commander.

We are a lucky outfit, for one of the first moves the General made was to appoint Col. C. O. Sherrill as his chief of staff, another sign of his gift of leadership, for he hit upon the right man for that difficult job. They made a rare combination. Both are drivers, both are optimistic in face of the most adverse circumstances, and between them they will send, or I hope lead, a division home that New York has every right to be proud of. "An organization is what its head makes it," and Gen. Alexander has made the Seventy-seventh Division.

Another letter of Maj. Frederick S. Greene, dated "In a famous forest, October 6":

When the record of this war is finally written I believe that this division will be noted for the number of precedents it has set in military tactics. Hardly a day passes that we do not succeed in doing something that the day before a military expert would have pronounced impossible.

The night before our initial attack in this sector I talked with one of the cleverest French officers I have yet met. When asked what he thought of our chances of driving the boche out of his wonderfully strong position—a position he took up four years ago and has improved steadily ever since—this captain shrugged his shoulders doubtfully.

"It will be difficult," was his answer, given in a tone and manner clearly showing that he really meant impossible when he used the word "difficult." By noon the next day, just five hours after our boys "went over," the enemy was 3 kilometers behind his network of trenches and going well. And what a 3 kilometers those were. Heavy forest, with dense underbrush covering the ground, and terrain just one deep ravine after another, separated by ridges whose slopes stand nearly vertical. When you consider the strength of those trenches, the profile of the ground, the denseness of the underbrush, and remember that that drive was made by men who, before going to Camp Upton, had seen no trees except in Central Park—this may be put down as precedent No. 1.

The second day after the attack our flank was considerably bothered by a string of machine-gun snipers. A major of Artillery, who hails from Yonkers, sought and secured permission to take a 155-millimeter howitzer out to the front and "plow up the landscape." He brought it up over one of the worst roads that ever crossed a torn and shredded no man's land. It slid into a crater—of course, it was raining, and the mud was knee deep. I put an entire company of Engineers at his disposal and hauled it out after two hours' hard work, and that huge gun was finally parked right on the front line. That is precedent enough, but the story goes further.

The gun was really out of our sector, there being no roads at all for us, and the division on our left fell back during the night, with the result that by morning there was our 6-inch gun complacently resting in the very middle of no man's land. That major from Yonkers, using his head, had taken a platoon out with him to protect his gun in the event of just such an emergency. So the major and his gun did not fall back with the troops about him; instead, he got into action, fired 110 rounds of that heavy stuff at our friends the snipers, and drove them off. Then he waited for the Infantry to come up again. The boche were so amazed at this unheard of proceeding that they hurried an aeroplane over to see if it could really be true. Jerry came, and for once in his life flew low, astonishment making him reckless; then he dropped a bomb harmlessly a hundred yards from the gun and flew back to tell the Kaiser about precedent No. 2.

But by far the most remarkable precedent was established by the commanding general of one of our brigades. A battalion had been cut off and surrounded by the boche; their position was desperate, and it looked any odds that they would either have to surrender or be exterminated. I fancy some account of this battalion's four days and six nights in the woods will be published in the States before this reaches you, but there is one side-light or spot-light incident that may escape the notice it deserves. This general was ordered to send out a second battalion, which was to endeavor to cut its way through and rescue the surrounded one. Instead of sending out this relief, the general took it out, assuming direct command himself and marching at the head of his small party, for a battalion these days does not measure 750 men. Straight to the front he took his men, crossing one cliff and climbing down in the ravine beyond, every foot of the journey a fight against nature and most of the march a fight against the enemy, who used every weapon he had—gas, rifle and machine-gun fire, hand grenades, and Austrian 77s.

The general put up the hardest counter fight any man could, but the wire underbrush and machine guns proved too great a resistance for his party to overcome, and he was forced to return.

Any other man would have called the attempt a day's work, but not this general. He assembled a fresh battalion, or rather a part of a battalion, and started out once more, but again was forced, on account of casualties, to retire. I am not allowed to mention the number of casualties, but I can say that on both these trips the general lost over 30 per cent of his men in killed and wounded.

I was at his headquarters shortly after his return from the second expedition. He was tired, worn, but not downhearted, and it was under his direction that a party working in on the right flank finally reached and rescued the cut-off battalion.

Why the general was not killed is only due to the luck that follows the brave. His clothing was clipped by bullets more than once and shell splinters whizzed close by his head time and time again.

The act of this general has had a wonderful moral effect upon his men. It was a desperate undertaking, as any man who took part in it knew. I asked one soldier how he got through.

"I can never tell you, sir. We just said to ourselves if our general can take such a hell of a chance, I guess we can, and we went ahead." And how the news spread! Every man in the brigade was proud of that act. You could hear such remarks as, "Hear what our general did? He went out to the line just like any lieutenant, took things just like the men did, and got away with it. Some general, eh?"

I wish I could tell you that general's name, but I may say he was born in Brooklyn and is well known to most New Yorkers, and that he was the most prominent figure at Camp Upton when, and a few months before, we left there.

When we have a general who, knowing the necessity, cheerfully undertakes the duties and dangers of a second lieutenant, I think that the Metropolitan Division should change its name to the Precedent Division.

THE RIVERS OF FRANCE.

[By H. J. M.]

The rivers of France are ten score and twain,
But five are the names that we know.
The Marne, the Vesle, the Ourcq, and the Aisne
And the Somme of the swampy flow.

The rivers of France, from source to the sea,
Are nourished by many a rill,
But these five, if ever a drought there be,
The fountains of sorrow would fill.

The rivers of France shine silvery white,
But the waters of five are red
With the richest blood in the fiercest fight
For freedom, that ever was shed.

Five rivers of France, see their names are writ
On a banner of crimson and gold,
And the glory of those who fashioned it
Shall nevermore cease to be told.

The Seventy-seventh Division.

EXTENSION OF REMARKS
OF
HON. ISAAC SIEGEL,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1919.

Mr. SIEGEL. Mr. Speaker, the story of the Rainbow Division, which included the Sixty-ninth Regiment of New York National Guard, now known as the One hundred and sixty-fifth Infantry, has been so well described by the gentleman from Iowa [Mr. TOWNER], on February 12 last, that one could hardly excel it.

The story of the Twenty-seventh Division has been told at great length by the senior Senator from New York, Senator WADSWORTH, and now the story of the Seventy-seventh Division, which was made up from boys who were drafted in the city of New York, is to be told. It is a record which has made every New Yorker and every American proud. This division is the only American division that fought its way through the Argonne Forest, and distinguished itself from the moment that it arrived on the other side and was given the opportunity to show its laurels.

I had the extreme pleasure of being with this division during the latter part of July last, at Baccarat. There Gen. Duncan and Maj. Wilson, both from Kentucky, and Gen. Evan M. Johnson all told me that when the time came they were certain, using that word advisedly, that the boys from New York City, who had been taken from shop, factory, office, and subway and composed of all the nationalities which make up the big cosmopolitan city of New York, would astound the world. They did astound the world in the Argonne Forest fight, and the large number of distinguished-service crosses given to the men of this division tell their own tale.

The story of the "Lost or Lone Battalion," as it has been called, is one which has already gone down into the world's history to be repeated by generations yet unborn in all the years which the Republic will endure. It is the gallantry of these men under the most trying condition and the display of such extraordinary courage at a time when the enemy surrounded them that has most thoroughly established in the minds of all who love this country that in a time of future emergency we have nothing to fear.

Both the New York World and the Brooklyn Eagle have written the story of this division. The World account is by Cyril Brown, the famous war correspondent, and, therefore, I have selected his account of what this division did. It is as follows:

HOW THE SEVENTY-SEVENTH SWEPT THE ARGONNE.

CAMP UPTON DRAFT DIVISION, ORDERED TO ATTACK REGARDLESS OF LOSSES, SMASHED GERMAN DEFENSES AND NEVER GAVE UP A POSITION ONCE OCCUPIED—THEIR WORK IN FRANCE NEARLY FINISHED AND WITH A RECORD OF PROUD ACHIEVEMENT THE SEVENTY-SEVENTH HOPE SOON TO START HOMEWARD.

[By Cyril Brown, New York World staff correspondent with the American Army of occupation.]

CHAPTER I.

FROM HOME TO BATTLEFIELD.

HEADQUARTERS SEVENTY-SEVENTH DIVISION,
CHATEAU VILLAIN,
Chaumont Training Area, January 20.

"Who won the war?" The Seventy-seventh, alias the "Liberty Division," now marking time in the mud of "sunny" France and impatient to get home, claims its full pro rata share in the division of honors, and backs up its claim with the following record:

The Seventy-seventh was the first National Army division (composed wholly of men inducted into military service by the draft boards) to reach France.

The Seventy-seventh was the first National Army division to have the responsibility for even a quiet sector thrust upon it.

The Seventy-seventh was the first National Army division ordered into an active part of the line.

The Seventy-seventh was given the post of greatest honor in the final victory offensive—the critical hinge of the Argonne Forest; and it was the only American division to fight its way through the Argonne.

The Seventy-seventh scored the greatest continuous gain, 5½ kilometers, between September 26 and November 11, in the Argonne-Meuse offensive.

This summarizes the Seventy-seventh's record. Its chronological history falls into seven distinct acts, working up to a dramatic climax, as follows:

FROM TRAINING TO TRIUMPH.

1. Camp Upton, Long Island. Raw draft recruits licked into shape and shipped to France, looking no better and no worse than any other National Army outfit.

2. In the Pas de Calais. Training behind the front under British auspices.

3. In the Baccarat sector, Lorraine. Learning the fine points from the French in a quiet front sector and then modestly trying it on the boche on its own hook.

4. On the Vesle. Inauspicious debut in a real battle; mediocre, still amateur performance.

5. Advance to the Aisne. The Seventy-seventh "comes back" and finds itself, emerging with the professional look of a combat division.

6. The Argonne Forest. The Seventy-seventh more than makes good; it earns the title of "Conquerors of the Argonne," with three congressional medals of honor thrown in.

7. The whirling finish to the Meuse. The Seventy-seventh would be going yet if it hadn't been for that armistice.

The formal opening of the Seventy-seventh Division for business dates back to August 27, 1917, when the first batches of rawest recruits arrived at Camp Upton; and, though bunches of recruits and replacements kept arriving ever after right up to the armistice, this initial outfit is voted by experts to have been the most heterogeneous assortment of unlicked civilians ever gathered under the roof of any division. It was an all-New York outfit, and included specimens of every race, creed, and class, including Chinamen and East Side gangsters. It was a typical haul of the draft law dragnet in New York City.

This miscellaneous personnel was organized into the One hundred and fifty-third Brigade, composed of the Three hundred and fifth and Three hundred and sixth Infantry Regiments; the One hundred and fifty-fourth Infantry Brigade, composed of the Three hundred and seventh and Three hundred and eighth Infantry Regiments; the One hundred and fifty-second Field Artillery Brigade, composed of the Three hundred and fourth, Three hundred and fifth, and Three hundred and sixth Field Artillery Regiments; the Three hundred and second Engineer Regiment, the Three hundred and second Sanitary Train, and the minor divisional elements.

In the course of seven months it was licked into fair average shape by its commanding general, Maj. Gen. Franklin J. Bell, and his staff and hard-working line officers, until it looked good on parade down Fifth Avenue, and, with the usual polishing and tuning up in France, looked ripe for the real test of battle.

RUSHED THROUGH ENGLAND.

After the usual rumors and false alarms the Seventy-seventh began sailing from New York March 27 under its new acting commander, Brig. Gen. Evan M. Johnson, and sailing continued until April 1. The divisional convoy collected in Halifax, whence it sailed, nine ships in line, led by an American cruiser.

After 14 days at sea the coast of Ireland looked good to these ex-New Yorkers. The division was landed in Liverpool April 12, and its acquaintance with England lasted no longer than a day. The Seventy-seventh was hustled into dinky English trains and reached Dover on the night of its landing.

Quartered in barracks in Dover for its one night in England, the division was hustled across the channel the next day, arrived in France April 13, and was billeted in alleged rest barracks at Calais, where the Seventy-seventh got its first sniff of real war—the first impression made by the sight of ruined buildings bombed by boche aviators.

At the rest camp the Seventy-seventh immediately began getting ready for business by turning in its Springfield rifles and drawing British Enfields in return, preparatory to field training under British auspices. Also the blue barrack bags, containing two outfits per man, were turned in; but gas masks and steel helmets were added to the equipment instead.

MONTH'S INTENSIVE TRAINING.

From Calais the Seventh-seventh was hustled in box cars to the vicinity of Epericcques, in the Department of Pas de Calais, where it got together May 6 for one month's intensive training under the British Thirty-ninth Division. The command of the division was now taken over by Maj. Gen. George B. Duncan, Brig. Gen. Evan M. Johnson resuming his former command of the One hundred and fifty-fourth Infantry Brigade.

Here the Seventy-seventh became gradually acclimated to the new climate of the front, training within earshot of the heavy artillery duel at Ypres and Mount Kemmel, and being targets for the nightly boche bombing raids, which inflicted the division's first eight casualties from enemy fire.

The New York doughboys eagerly absorbed British combat methods but balked at British grub, being a repetition of jam and tea supplemented by meat for dinner and cheese for supper.

Also, the doughboys from Broadway and adjacent alleys discovered that the cost of living, as supplied by canny French peasants and shopkeepers, soared with the injection of the American soldier's pay into circulation.

Small groups of officers and noncoms of the Seventy-seventh went regularly on Cook's tours to the fighting front and came back with tall tales and much useful information, particularly about the dangers of gas. These military tourists were most impressed by the colossal amount of shell fire.

The Seventy-seventh was beginning to feel its oats when, about the middle of May, the rumor spread that the division was to be sent into line. The division now enjoyed its first hike to the trenches; but the first training turned out to be 20 kilometers (12½ miles) behind the British line.

The Seventy-seventh now spent three days in almost sleepless field maneuvers, attacking, being attacked, and counterattacking, all without casualties—all against an imaginary enemy, with plenty of real ones only 20 kilometers away. After a few days' rest the One hundred and fifty-fourth Infantry Brigade, under Brig. Gen. Evan M. Johnson, was thought good enough to be sent into the area back of Arras, where it acted the part of a super as reserve to the British Second and Forty-second Divisions. Here the brigade became acquainted with and accustomed to "enemy fire searching the back areas" and nightly air bombardments.

Much as they loved their British pals and the British Army lingo the men had picked up, the pride of New York were darned glad, for grub's sake, when orders came to take over an American sector.

June 10 found all elements of the Seventy-seventh reunited after its scattered training course and ready to jump into the Baccarat sector in Lorraine, held jointly by the Forty-second (Rainbow) Division and the Sixty-first French Division. This was also the division's first encounter with French soldiers. In relieving the Rainbow Division in the Baccarat sector, the Seventy-seventh felt particularly proud of the fact that it was the first National Army Division to take over part of the front line.

The relief of the Rainbow Division was completed between June 19 and 26, but the boche apparently knew that the boys from Broadway were coming, for, as credibly recorded, from a German captive balloon floated the message, "Goodby, Forty-second—hello, Seventy-seventh!"

"HOUSE WARMING" WITH GAS.

Those who interpreted this message as an attempt on the part of the Teuton to fraternize were wrong, for the German artillery only waited until the relief was about completed, and at 4 a. m. on June 24 the boche gave the Seventy-seventh an unwelcome housewarming with mustard and phosgene gas, particularly specializing on the most densely billeted villages of Migneville, St. Maurice, Nouviller, and Badonville, but also distributing his random favors throughout the Seventy-seventh's new front area.

The Seventy-seventh, however, took to gas like ducks to water; and as a result of approximately 3,000 rounds fired, only 180 casualties resulted, of which only 100 were due to gas and all those, as investigation revealed, were due to removing gas masks prematurely rather than to tardiness in getting them on.

The Baccarat sector, south of Strassburg, is on a line between Luneville and St. Die, and the Seventy-seventh was given the part extending from Herbeviller on the left to a point east of Badonviller on the right. The so-called La Blette, Montigny, Ste. Pole, and Badonviller subsectors were held, respectively, by the Three hundred and fifth, Three hundred and sixth, Three hundred and seventh, and Three hundred and eighth Infantry from left to right. Each of these subsectors constituted a battalion front, with one battalion lying in support and one in reserve, the battalions rotating in turn in the front line, the front-line trick averaging from a week to 10 days. An expected complimentary attack on the part of the Germans on July 4 did not materialize, though the whole division was on the qui vive.

Under French tutelage, the Seventy-seventh had made such good practive that between July 15 and 18 the Sixty-first French Division was withdrawn, leaving the Seventy-seventh in supreme and sole command of the Baccarat sector. At this time, too, the divisional artillery showed up, thus dispensing with French artillery support and making Baccarat literally an all-American sector.

The division remained in the Baccarat sector until August 4, when it was relieved by another American novice division—the Thirty-seventh. Except for snappy patrol work in no man's land and enthusiastic artillery practice, the Baccarat sector was as peaceful as an armistice; the activities of the Seventh-seventh here were in the nature of practical laboratory work in modern fighting, and the Seventy-seventh served its apprenticeship at a relatively small cost. Its bag was small—three prisoners captured, no officers, no rifles, no guns, no machine guns, and no ground gained. There was nothing much doing in the Baccarat sector except acquiring experience, which, on the first real battle test, proved to have been insufficient.

BITTER BATTLE EXPERIENCE.

Nothing but bitter battle experience can turn a draft division into an elite combat division, and this the Seventy-seventh got on the Vesle in large doses, swallowed it, survived, and improved in fighting form until it classed with the best of the regular outfits. The Seventy-seventh had the potential "goods"; the "Hell-hole Valley of the Vesle" consolidated the "makings" of a crack division into the finished product capable later of doing the impossible—conquering the Argonnes.

Relieved from the quiet Baccarat sector, the Seventy-seventh got in action August 3 without knowing whither, the infantry hiking to Charmes, the artillery to Bayon, both for entrainment. On the eight-hour train ride the men began to "get warm" to the knowledge that they were heading into real war as they wormed their way along one of the main lines of communication. Detrained, the infantry was hustled in camions via Fere-en-Tardenois, the artillery in forced night marches via Chateau-Thierry to the relief of the battle-worn Fifty-second French and Fourth American Divisions. The Seventy-seventh was given no time to be shown around and get acquainted with its new premises; the old tenants pulled out as the new moved in.

A French division held the sector on the Seventy-seventh's left, while the Twenty-eighth (Pennsylvania) Division was on its right. Opposing the Seventy-seventh were the German Seventeenth, Thirty-ninth, and Two hundred and sixteenth Divisions and the Fourth Guard Division; nothing was wrong with the morale of those opponents at that time. They were still boche fighters of the old school; a tough proposition for the New York Guards to stack up against on their battle debut at odds of 4 to 1.

By August 11 the infantry was all in the Vesle line, but the last of its artillery did not get into position until the 17th. The Seventy-seventh found itself hurled into the hottest kind of a hole; the dog days (and nights) were superheated with all the "stuff" the Germans had—and the Germans at that time were prodigal in sending it over. The front of the division ran parallel to the Vesle and extended from Mont Notre Dame and St. Thibaut through Ville Savoye in the direction of Fismes. The artillery was posted in the area behind Hill 210. The Germans had as yet unbroken strangle hold on the north bank of the muddy, sluggish Vesle, which, though averaging only 30 feet wide and 10 deep, proved, on account of its high, straight banks and steep ridges on both sides, a formidable obstacle.

FIERCE HAND-TO-HAND WORK.

Here the Seventy-seventh, on its first appearance in battle, was discouragingly hung up for three weeks, with little to record except casualties, "beaucoup" enemy gas, the monotonous repetition of enemy barrages, and superactivity on the part of patrols, with bursts of fierce hand-to-hand fighting.

"Baccarat was only a boxing match, but the Vesle, that was a real fist fight," is an epigram attributed to one of the Vesle Valley graduates.

Night after night the Three hundred and second Engineers heroically worked at repairing the bridges over the Vesle, under heavy shell and machine-gun fire. The Seventy-seventh succeeded in pushing outposts across the Vesle and maintaining them in the outskirts of Bazoches and Chateau du Diable.

One typical bit of heroism on the Vesle, singled out of many, deserves special mention. During an important change in the line a Chinese, Pvt. Sing Kee, of the Three hundred and seventh Infantry (now color sergeant of his regiment and decorated with the distinguished-service cross), was operating the message center in Mont Notre Dame, when the Germans bombarded it with gas shells. And though all hands, including Sing Kee, were gassed, he stuck to his post and continued to operate the message center for 24 hours.

SEVEREST POSSIBLE STRAIN.

For three weeks the New York division was subjected to the severest possible strain—that of holding an artilleristically superactive sector

without the incentive of scoring an inch of advance. The only diversion during this period was the brilliant but bloody raid on Bazoches—unique in the record of the Seventy-seventh, because it was the only time in all its offensive operations that the division was forced, through no fault of its own, to yield up an objective once gained.

Bazoches, lying deep in a pocket on the German side of the Vesle, was credibly reported to harbor only a relatively weak force of Germans, and the mission accordingly was to take and hold the village of Bazoches by working around it, attacking simultaneously from front and rear and flanks. The tactical plan was brilliantly conceived, placing one platoon of infantry and two machine guns at the extreme northern corner of the village, one platoon of infantry with two machine guns in the northwestern end of the village, one platoon of infantry southwest of the village, south of the railroad, one platoon south of the railroad, southeast of the village. Company G and machine guns of the Three hundred and sixth Infantry were selected for this job. They were ordered to mop up the village thoroughly, while Company E of the Three hundred and sixth was to move up in support.

The attack on Bazoches started at 4.15 a. m. The first platoon and machine guns, followed at 30 yards by the second platoon, forced its entrance into Bazoches at the worthwest corner, placed a machine gun and proceeded to mop up. Shortly after 6 a. m., one platoon of Company E, Three hundred and sixth Infantry, attempted to reinforce Company G but found the German fire too heavy to retain their positions.

The inevitable German counterattack got under way, and nothing further became known of the subsequent movements and fate of the first two platoons to enter Bazoches. While these first two platoons were fighting their way into the northwest portion of Bazoches, the third platoon made progress from east to west in the northern part of the village, thence proceeding to the eastern edge and south as far as the railroad, mopping up in transit.

REST WERE "CASUALTIES."

With daylight the third platoon dug itself in on the railroad and signaled "objective reached." At 6.25, after the enemy had bombed this platoon from front and both flanks, Lieut. Gregory retired across the Vesle, crawling to battalion headquarters, accompanied by four men, the rest being reported as casualties.

The fourth platoon, after entering the village according to plan, proceeded in a southwesterly direction through the center of the village and dug itself in along the railroad track. It was subjected to fire from three sides, and had no news of the other platoons. About 10 a. m. Capt. Bull, in command of the raid on Bazoches, who was with the fourth platoon, decided to withdraw from the village.

These were the simple facts of the raid on Bazoches, but there attaches to them an importance out of all proportion to the size of the operation and the price paid for temporary success and failure.

The raid on Bazoches proved a combination milestone and turning point in the Seventy-seventh's history. Bazoches could be seen into, smothered in barrages and easily counterattacked from the dominating heights on three sides. It could be taken, but it could not be held. It was untenable so long as the heights were in German hands. The way to take Bazoches and hold it was to capture the heights first.

Bazoches taught the tacticians of the Seventy-seventh a lesson the sooner learned the better, and which probably saved the Seventy-seventh heavy casualties in future offensive operations of greater magnitude. As a practical lesson in tactics, Bazoches was well worth the price of several platoons. But over and above this even more important, the experience of Bazoches precipitated a rapid process of transformation within the Seventy-seventh, from which it emerged less than three weeks later, on the Aisne, a full-fledged combat division of the finest fighting temper and efficiency.

The name Bazoches still awakens bloody memories in the Seventy-seventh, though in no sense a defeat. The division was given ample opportunity to forget it, however, in the exhilaration of its first victorious advance. Shortly after the Bazoches episode Maj. Gen. Robert Alexander took command of the Seventy-seventh, replacing Maj. Gen. George B. Duncan. Under the new leader the Seventy-seventh "found its soul," as a veteran member phrased it, and was molded into an irresistibly efficient attacking organism. Not a foot of ground once gained was lost again from the Vesle to the armistice.

FIRST ADVANCE.

On September 2 signs were reported of an impending enemy retirement. Columns of smoke rose above villages in the German line next day. The Seventy-seventh, on its toes, jumped the barrier of the Vesle September 3 and pressed hard after the retreating boche, fighting a sharp and successful engagement with his rear guard on the heights above Haute Maisons. The Seventy-seventh, in its eagerness to advance—the first advance in which it had ever participated—outdistanced its right and left flanks.

On the morning of September 4 it resumed its advance and continued each succeeding day to gain ground consistently in the general advance to the Aisne, until, on the eve of a major attack, for which it had made all preparations, it was suddenly relieved by an Italian division under Gen. Garibaldi, in the night of September 13. In its first advance the Seventy-seventh had clocked off a gain of 12 kilometers (7½ miles) against stiff German rear-guard resistance. The division of New York recruits had emerged from the "hell-hole valley of the Vesle" a veteran division, equal to the best and adequate to the toughest assignment. It received a breathing spell of only two weeks before being turned loose in the Argonne Forest.

CHAPTER II.

THROUGH ARGONNE FOREST.

The climax of the Seventy-seventh Division's brief history is the conquest of the Argonne Forest, a performance of such sustained brilliance in the triumph over seemingly unconquerable obstacles that it can not be beaten by the record of any other American division. To the Seventy-seventh belongs the peculiarly dramatic credit, after its discouraging and very mediocre début in battle, of having pulled itself together into a combat division of the first water and of having "found itself" just in time for its greatest finish fight, emerging thence in the championship class.

It was a new Seventy-seventh in everything but name, pulled together into fine fighting form by the powerful personality of its new commander, Maj. Gen. Robert Alexander, stung into new fighting efficiency by its bad mauling on the Vesle, and, above all, animated by a new divisional spirit—"one fighting organism animated by a common soul"—which left the Vesle-Aisne sector on the nights of September 16–17 and 17–18, proceeding by camion to the vicinity of Civry-en-Argonne, where the troops were disembarked and placed in temporary billets. The Seventy-seventh Division now formed part of the First Corps of the First American Army.

The Seventy-seventh had the distinction of being picked to perform what neither the French nor the Germans had dared during four years of war—an offensive operation in and through the Argonne Forest—and while numerous American divisions are justly claiming premier honors for the success of the Argonne-Meuse offensive, the Seventy-seventh enjoys the undisputable, sole credit for having been the only division which actually fought in and through the dark Argonne Woods.

As a battle ground the Argonne Forest is absolutely unique. There was nothing else like it on the whole west front. It is a region of continuous dense woodland and thickest underbrush, a succession of hills and ravines, of brooks and swamps, with few roads, and those few invariably commanded by the wooded heights. The Germans held all of the Argonne except the open woods in the south, and in four years of virtual armistice they had fortified the Argonne Forest by every means known to scientific ingenuity into an impregnable fortress, which, perhaps, only Americans would have been daring enough to tackle.

German artillery commanded the few roads of approach and every treacherous ravine. German machine guns swept every forest path and insignificant trail and every hill slope. German machine guns were further posted thickly in echelon, so as to form interlocking bands of fire, long chains of machine-gun fire barrages. The trees were interlaced with barbed wire, with successive defensive systems running miles back. The Germans, too, had been prolific in their use of cement. In four years they had constructed systems of reinforced concrete trenches; the terrain was dotted with cement "pill boxes." There were blockhouses, tree-top "fortresses."

Above all, the Germans had four years of experience in Argonne Forest guerrilla warfare and a perfect knowledge of the terrain, reinforced by lookout towers, concealed observation posts, an elaborate telephone system, and a narrow-gauge railway system for bringing up troops, ammunition, and supplies.

TOUGHEST NUT TO CRACK.

No sane German ever dreamed of an attack through this fortified forest. It was the toughest nut which any American division was given to crack.

The French and the German lines, close together, ran—and had run for four years—from La Harazee through to La Four de Paris, and thence eastward through La Pas Court Choisse to the northern border of the forest on the Aire River. The Argonne Forest in German hands was approximately 22 kilometers long and from 7 to 9 kilometers wide. The problem of the Seventy-seventh Division accordingly was to attack the Argonne on a 7 kilometer front and to drive straight through it for its entire length of 22 kilometers, emerging on the Aire.

During the night of September 23–24 the Seventy-seventh Division moved into the second line in the Argonne Forest, the French continuing to hold the first line so as to mask the American enterprise from the enemy right up to the last moment. The artillery of the division reached the new sector on the night of September 24–25 and went into position.

The enemy now appeared to suspect that something was doing and showed all the usual signs of nervousness. The German patrols became superactive and attacked three nights in succession, but found only the French, and were invariably driven off without penetrating the American secret in the Argonne. The German artillery, too, searched the rearward lines of communication with high-explosive and gas shells.

But everything possible had been done, and done successfully, to conceal the nature of the enterprise from the Germans. Allied air supremacy kept the boche planes from coming over. Troop movements took place at night and in utmost silence. American Artillery observers during the period of preparation wore French uniforms. No English was spoken over the telephones. The Artillery was not permitted to indulge in practice shooting or "registering."

The initial attack was scheduled for 5.30 a. m. on September 26. During the night the Seventy-seventh moved up from the second line and the French withdrew. At midnight the last French outposts were relieved. The Seventy-seventh was on its toes for the attack.

The division had to attack on a front of seven and a half kilometers. Accordingly, all four Infantry regiments were in the front line. This disposition was not ideal and not at all what the commanding general would have liked. But no other disposition was possible, as the frontage to be covered was so extensive.

The line-up was as follows: The Three hundred and eighth Infantry Regiment on the extreme left of the line, then the Three hundred and seventh Infantry, then the Three hundred and sixth Infantry, then the Three hundred and fifth Infantry on the extreme right of the line. The Seventy-seventh Division had on its left the First French Division and on its right the Twenty-eighth (American) Division.

LEFT FLANK EXPOSED.

There was also organized a Franco-American force, intended to act as a combat liaison group on the division's left flank. This combat liaison, consisting of the Three hundred and sixty-eighth Infantry of the Ninety-second (American) Division, was to have advanced in conjunction with the left of the Seventy-seventh Division, but failed to do so, and in consequence the left flank of the division was exposed during the whole period of the Argonne Forest drive.

There was yet another handicap to the initial attack. It was impossible to get the Artillery through the dense woods along the entire front of attack. The Artillery was tied to the few roads traversing the forest.

Even so it was necessary to fell some half a hundred trees in order to provide a field of fire for each battery. In order not to advertise the attack to the enemy, the trees were sawed nearly through and wedged, but not toppled over until just before the beginning of the Artillery preparation.

For the opening barrage the 75s of the Three hundred and fourth Field Artillery Regiment were placed on the road running east from La Chalade across the ridge, where they were reinforced by some French 6-inch guns; the 75s of the Three hundred and fifth Field Artillery Regiment were placed on the north and south road in the northeast sector of the Bois de Hauts Bats; and the heavy 155s of the Three hundred and sixth Field Artillery Regiment were placed on the roads in the vicinity of Le Rond Champ and Croix Gentin.

The artillery was given the task of pounding and cutting 16 distinct avenues through the enemy wire for the passage of the attacking infantry. Four of these avenues were to be cut at La Fille Morte and four at Taille Rongard, on the front of the One hundred and fifty-third

Brigade, comprising the Three hundred and fifth and Three hundred and sixth Infantry. Three avenues were to be cut through the enemy wire east of La Four de Paris across Ravin Intermediaire to Rau des Meurissons, and one to the north of Rau des Meurissons. Two lanes were to be cut to the east of La Haraizee, and two more south of Rau de la Ferme aux Charmes.

ARTILLERY JOB WELL DONE.

At 2.30 a. m., September 26, the artillery preparation began and continued three hours. At 5.30 a. m., on schedule time, the infantry attack was launched. The artillery had done its job well of cutting those 16 avenues for the attacking infantry, and as the infantry went over the top the 75s placed a rolling barrage 500 meters ahead of the infantry, while the 155s placed a protective barrage 500 meters ahead of this barrage. For the next 25 minutes both barrages were advanced by 100-meter jumps, 100 meters every 5 minutes. This, too, was the initial progress made by the infantry attack.

Worth recording is this address of the commanding general to his infantry officers on the eve of the attack:

"I don't believe we will find very much opposition in the first or even second line. Such opposition as we find will be confined to machine-gun nests. We have all had opportunity to see the aeroplane photographs of the ground we are going over. It is very densely wooded and it is probable that it is very difficult to get through, and that along paths you will find such machine guns as are warranted there. You will find machine guns on the paths and drains. We shall have to work around them and cut around them through the bush. I can not go into detail on the work of the artillery and you don't care about that. I will tell you where it is going to be. It is hard to draw up a definite plan on account of the terrain and the difficulty of registering fire. You all realize that the closer up you get to that barrage, which is to precede you by 500 meters, the more protection it is for you. If you lay behind and it passes on, before you get there the enemy is up and using his weapons. Keep as close to it as you can. The limit of 500 yards was put on it for reasons that I have carefully considered. It is not necessary for you to stay back there."

All four regiments attacked simultaneously, abreast—all four similarly disposed, with one battalion in the front line, one battalion in support, and the third battalion forming either divisional or brigade reserve. Their opponent was the Second Landwehr Division, but little opposition was encountered in the enemy front line.

WALKOVER BEHIND BARRAGE.

The Seventy-seventh had a walkover behind the effective rolling barrage through those 16 avenues blasted through the enemy wire, and an average gain of 2 kilometers was scored on this first day. On the night of the 26th the division's line had been established on the ridge north of the road running from Four de Paris over Barricade Pavilion to Carre des Meurisons; thence south of St. Huberts Pavilion, parallel to the Biesme River.

The second day of the attack brought the real thing in the way of fighting. From now on there was no more easy going, as the German defense unfolded itself. The division renewed the attack at 5.30 a. m., September 27, after a half hour's artillery preparation.

Unfortunately, liaison with the French division on the left and the American division on the right could not be satisfactorily established and maintained. In fact, throughout the Argonne Forest operation both flanks of the Seventy-seventh continued exposed. And whereas, according to plan, the French and American divisions operating immediately to left and right of the Argonne Forest were to have advanced steadily ahead of the Seventy-seventh, thus squeezing the Germans out of the Argonne Forest by a double flanking process, leaving the Seventy-seventh to harass the retreating Germans and mop up the Argonne; in reality, as it turned out, the inability of the adjacent First French and Eighty-second American Divisions to make progress according to schedule, put it squarely up to the Seventy-seventh to push the Germans out of the Argonne Forest by persistent line bucking frontal attacks, without the help of squeezing pressure on the German flanks.

On September 27, while the Three hundred and eighth Infantry on the extreme left managed to push steadily ahead, the Three hundred and seventh, adjoining it, encountered the first serious resistance from the heights on its right front above Rau de la Ferme Aux Charmes. The Three hundred and seventh had run into the first of the system of enfilading machine-gun nests defending the whole plateau south of Bagatelle. The Three hundred and sixth and Three hundred and fifth Infantry soon ran up against the same enfilading machine-gun fire proposition. From now on it was hand-to-hand fighting, and cleaning out individual enemy machine-gun nests patiently, systematically, one at a time. The Seventy-seventh had to nibble its way through the machine-gun-nest-infested Argonne Forest.

Typical of the character of the wilderness fighting which ensued in the Argonnes was the advance of Companies B and K of the Three hundred and sixth Infantry. Separated from the rest of their regiment with which they had begun the attack on the morning of the 27th, these two companies at first found easy going down a deep ravine containing 100 abandoned enemy dugouts showing every evidence of hasty flight. In high spirits they marched Indian fashion in single file up the opposite slope to meet the unknown.

WALKED INTO TRAP.

On the crest of the hill they were halted by strong barbed wire, but no sign of a living enemy. While inspecting the wire they were startled by a red rocket, the signal for the cleverly hidden boche to open fire from the front and flanks. Companies B and K had walked with high spirits into a man trap, but, characteristically, they fought their way out of the trap by advancing through it. A sergeant and six men of Company B located a gap in the wire, crawled through it, and cleaned up two enemy machine guns. Wire clippers now went into action. In three minutes both companies were through the German line and in the German trench system.

A hand-grenade attack by invisible boches quickly followed, but did not dislodge the two American companies. A second German attack, this time behind a blue smoke screen, followed. It was beaten off by American rifle fire.

A third German attack followed from the left flank and took K Company by surprise. The Germans gained a foothold in the left end of the trench and proceeded to make it hot with hand grenades.

With the slogan "Up and at them!" Company K counterattacked. The Germans took cover in the bushes.

They now tried a trick play, 30 or 40 advancing with hands up and yelling "Kamerad."

Companies B and K fell for it, but never again as long as the Argonne drive lasted.

"The 'Kamerad' kids, on reaching the trench, tossed in hand grenades, inflicting heavy casualties. After that we simply let 'em have all we had," a veteran of the Argonne is quoted.

MONOTONOUS AND COSTLY.

Just as these two companies had gained a precarious foothold in St. Huberts Pavilion and were fighting off incessant German counterattacks other units to right and left were having about the same experience. This was characteristic of the advance through the whole Argonne—daring thrusts all along the line and wherever a foothold was got inside the enemy's defenses a grim holding on until the rest of the line got up—a monotonous and costly operation, which had to be repeated day after day and many times a day. During the 27th attacks were made against the strongly intrenched positions of Abri de St. Louis, Four de Zube, and St. Huberts Pavilion. The Three hundred and fifth Infantry assaulted Abri de St. Louis four times before the German resistance was overcome. The Three hundred and sixth Infantry assaulted the trench position in the Four de Zube three times before the enemy was finally driven out.

This second day's fighting closed with a satisfactory average advance of the division's line of 1½ kilometers, except in the center, which was held up. The engineer and railroad dump of Barricade Pavilion was the biggest in the day's booty.

The Seventy-seventh now continued its advance from day to day, attacking each morning with monotonous regularity and continuing to attack and advance during the day. Steady progress was made each day. The positions occupied were firmly held. No position, once occupied by the division, was ever given up—a remarkable record.

Fighting on the morning of September 28 opened auspiciously. For several hours the advance of the Infantry met no effective opposition. After overrunning the first enemy line of resistance on the jump-off on the morning of the 26th no formal organization of the terrain was encountered until the morning of October 1, when the enemy's second formal line of resistance was reached, running along the crest of the Bois de Naza, extending thence westward into the trench system running north and southeast from the Bagatelle Pavilion.

The advance to this second main line of resistance was, however, made against skillfully improvised defenses, with German machine guns covering every opening through the thick forest. And, unfortunately, it was impossible to use effectively the Artillery for supporting the Infantry advance. From now on the Infantry had to rely almost entirely on itself.

On the morning of the 28th St. Huberts Pavilion and Abri St. Louis were passed and mopped up. The Three hundred and seventh Infantry bagged the Bagatelle Pavilion. The Three hundred and fifth Infantry stormed Abri du Crochet. At 2 o'clock the Three hundred and seventh gained contact with the enemy's second organized line of resistance north of Bagatelle, checked it, and dug itself in 300 meters south of Depot des Machines.

KILLING BOCHES SINGLY.

On its right the One hundred and fifty-third Brigade, comprising the Three hundred and fifth and Three hundred and sixth Infantry, found better going and pushed steadily ahead. It enjoyed the sport of tracking, hunting down, and killing individual boches. With finger on trigger the men stole stealthily through the underbrush, with eyes peeled for skulking Germans. There was a touch of Indian warfare about it. And how keen on the hunt were these New York doughboys was indicated by some of the bodies, which showed anywhere from a dozen to 50 bullet holes.

On September 29 the One hundred and fifty-fourth Brigade (Three hundred and eighth and Three hundred and seventh Infantry) made a record gain of 3 kilometers to the heights bordering the Abri du Crochet, incidentally capturing in transit one of the famous German de luxe rest areas. The American discoverers found here in the heart of the Argonne, honeycombing the hillsides, mammoth model bomb and shell proof dugouts accommodating 50 men each. For the German officers there were even more elaborate dugouts of concrete, with concrete and log roofs 20 feet thick. Outside they were ornamented with carved oak trimmings and looked more like Swiss cottages or swell hunting lodges than dugouts. The bedrooms and living rooms were done in oak paneling, and all were equipped with running hot and cold water, bathrooms, and electric light. The furnishing of the officers' rest dugouts was luxurious, and outside there were gardens in bloom. An open-air beer garden with band stand, a bowling alley, concrete swimming pool, chapel, library, officers' casino, and large theater were other features of the German rest resort that fell into American hands.

FLED FROM THEIR FEAST.

Germans taking the rest cure here had interrupted it abruptly, for the victors found plenty of wine, cigars, and food on the premises, tables set, and every other indication that the patients had deserted on the spur of the moment, saving only their skins and the clothes on their backs. Those of the Seventy-seventh lucky enough to pass through here made adequate use of the spoils.

While the left wing was gaining 3 kilometers on the 29th, the right wing clocked off a good kilometer and a half advance to a position southwest of the Depot des Machines; but the center was hung up and could book little progress. The enemy resistance was stiffening as the divisions got near the second organized German line of defense.

On the 30th the right wing, the Three hundred and fifth and Three hundred and sixth Infantry, devoted its activities to house cleaning, consolidating positions, perfecting liaisons, bringing up supplies and ammunition, and re-forming for the inevitable assault on the supposed Kriemhilde Stellung ahead.

The One hundred and fifty-fourth Brigade, on the left, made the customary morning attack, but without success. The Three hundred and seventh Infantry's attack without artillery support failed to gain. It attacked again in the afternoon, aided by thermite from Stokes mortars, and pushed the enemy off the hills north of the Depot des Machines. The enemy retreated 1 kilometer to his main line, where he held. Also, a fresh enemy division, the Seventy-sixth Landwehr Division, was identified.

The Seventy-seventh was now bucking the line against two known enemy divisions.

On the morning of October 1 the division was in contact with the main German defensive system all along the line. All day the entire division attacked the entire front of the German position, but was stopped at every point. It was the first time since the kick-off on the morning of September 26 that the Seventy-seventh had been checked on its entire front.

Night brought the commanding general's insistent order to attack all along the line in the morning and to break through, regardless of cost.

The crisis of the Argonne operation had come; the immediate sequel was to be the story of the "Lost Battalion."

CHAPTER III.

"LOST BATTALION'S" STORY.

The inside story of the so-called—and miscalled—"Lost Battalion" marks the crisis of the Argonne Forest fighting. And the following account is authoritative, based on official records not heretofore available to the public.

The crisis week of the Seventy-seventh Division began on the morning of October 2. On that crucial day the Seventy-seventh's brilliant seven days' continuous fighting advance had come to a standstill. There was no hopeful local progress at any single point. On this memorable morning the Seventy-seventh found itself very literally "up against" the strongest conceivable enemy system of defenses, running across and along wild, deep ravines, densely wooded hills, and through the typical mad Argonne tangle of trees and underbrush.

This enemy line of greatest resistance ran along the ridge of Bois de la Naza, thence across the Ravine de Charleveaux, whence it extended over wooded hill and dale to a ravine trench system south of La Palette Pavilion. The critical impasse of the Seventy-seventh on the morning of October 2 reminded you of the old problem about "What happens when an irresistible force meets an immovable body?"

For the Seventy-seventh there was only one answer: The enemy line must be broken, regardless of cost. The success of the whole Argonne Forest operation was at stake and depended on immediately breaking the enemy line preliminary to resuming the old continuous advance.

The division was accordingly ordered to attack at 12.50 p. m. on its entire front, regardless of losses. The elements of the division were further ordered, if successful in breaking through the German line, to advance regardless of flank protection and to hold their objectives until the rest of the line caught up with them.

"LOST BATTALION'S" FEAT.

The division attacked on schedule time, supported by a barrage and by a simultaneous attack by the French holding the Binarville sector west of the Seventy-seventh. But the attack ran into murderous enfilading fire from cleverly concealed machine guns which apparently left not a loophole on the entire front. The determined attack, regardless of losses, seemed to be a failure.

When the situation cleared a slender ray of success appeared. The "Lost Battalion" alone had succeeded in breaking through the German line. At all other points the division had been held up. Elements of the First and Second Battalion of the Three hundred and eighth Infantry, reinforced by sections of Companies C and D of the Three hundred and sixth Machine Gun Battalion, all under the command of Maj. Charles S. Whittlesey, and later reduced by casualties to the famous "Lost Battalion" had found Achilles's Heel of the impregnable German line—its one vulnerable spot.

This was the Ravine de Charlevaux, on the extreme left of the division's line and running through the center of the Three hundred and eighth Infantry's sector. The one undefended spot of the German line was in the bed of this ravine, and by a process of infiltration through the underbrush along the eastern bank of its slender stream Maj. Whittlesey's force, now comprising Companies A, B, C, E, G, and H, of the Three hundred and eighth Infantry, with the added machine-gun detachments, succeeded in breaking through the German line and alone reaching its objective, the so-called Charlevaux Mills.

Without support of any kind on either flank this solitary band of unconscious heroes had reached—and intended to hold—a position deep within the enemy's lines. On their left the French attack had made no progress and had been held up in front of La Palette Pavillion. On the right the Three hundred and seventh Infantry had been able to make no progress either, and had been checked in front of the Bois de la Naza.

BEYOND REACH OF RELIEF.

At this time the "Lost Battalion" had no way of knowing that it was far in advance of the checked elements on both its flanks. It only knew that it had broken through the German trench and wire system, losing about 90 men, but capturing two officers, 28 privates, and 3 machine guns. It confidently expected support in the form of reinforcements; and, as a matter of fact, the Third Battalion of the Three hundred and seventh Infantry actually did attempt to follow it that same night, but only Company K succeeded in slipping through and reinforcing Maj. Whittlesey in the morning. The torn ends of the broken German line quickly reached out behind Maj. Whittlesey's force and succeeded in effecting a junction, thus preventing the coming up of further reinforcements.

To the layman it might look as if Maj. Whittlesey's band of heroes had blundered with their eyes open into a mantrap. But nobody had blundered. Maj. Whittlesey had specific orders to break through the Charlevaux Mills and hold it until the rest of the line got up, which left him no discretion for avoiding a possible mantrap by retreating or, once in, trying to fight his way back.

While the commanding general's orders were inspired by higher considerations than those of tactical soundness, this was one of those battle crises where success could not be achieved according to book rules, where the only chance of success lay in a bold tactical measure of theoretical unsoundness. "Break through at all cost and then widen the breach in the process of rescuing the 'Lost Battalion,'" summarizes this crisis maneuver.

That night Maj. Whittlesey took up a position near the crest of the hill south of La Viergette-Binarville, close to the Bois de Buirrone and about 500 meters east of the Charlevaux Mills. He and his band did not know until morning that in the night the Germans had been superactive, digging trenches, running barbed wire entanglements, and posting machine guns in his rear, across the path of his advance, and thus repairing the break in the German line which his force had made.

COMPLETELY CUT OFF.

Without knowing it, he was that night completely cut off from the division and entirely surrounded by Germans, his force forming a small American island within the German system of defenses.

Knowing nothing of this, Maj. Whittlesey's dispositions for this first night of isolation were admirable and, as subsequent events proved, almost miraculously perfect.

Casualties had reduced his command to 600 effectives, including the machine gunners. These "babes in the Argonne Woods" were now hopelessly "lost" in a deep "pocket" formed by the junction of two steep ravines with slender streams meeting at right angles. On four sides they were hemmed in by steep, densely wooded slopes.

In the darkness Maj. Whittlesey led his men, struggling through the morass, across the brook and junction of the two ravines, and up the tangled slope almost to the crest. In front and about 100 yards from the crest the Binarville-La Viergette road hugged the slope.

With the utmost difficulty funk holes were dug in the stony ground of the hill slope. Also, the men had no blankets or overcoats. And lastly, they had already eaten up their reserve rations in the course of their advance. But this night they were to enjoy their last quiet, restful night. Not until morning—the morning of October 3—did they discover the true character of their desperate position.

E COMPANY SURROUNDED.

At daybreak, October 3, details were sent to the rear for rations. At the same time Company E, under Lieut. Wilhelm, was sent back to attack from the west of the ravine from which the original attack had been launched, in order to assist reinforcements in getting through and up. But at 10 a. m. only 18 men, led by Lieut. Lenke, returned and reported to Maj. Whittlesey that E Company in going back had been surrounded, and that Lieut. Wilhelm had ordered him to save his platoon. Lieut. Wilhelm later succeeded in fighting his way back with a very few survivors of Company E.

For the first time Maj. Whittlesey and his band now realized beyond a shadow of a doubt that they were cut off in the rear. This disquieting information was supplemented by patrols who quickly returned and reported Germans to right of them, Germans to left of them, and not a ghost of a chance of establishing liaison either with the French, who were expected to come up on the left, nor with the Three hundred and eighth Infantry, scheduled to advance on the right.

Half an hour later came confirmation that the isolation of the "Lost Battalion" was complete. Two runner posts in the rear had been attacked and scattered by the Germans; the battalion's rearward line of communication by runners no longer functioned, and an attempt was made to report this ominous fact to regimental headquarters by carrier pigeons.

Knowing their situation, but also knowing their orders to hold, the "Lost Battalion" now prepared for its death struggle. Maj. Whittlesey disposed his forces in the form of a hollow square on the slope of the hill, with machine guns posted on the corners, prepared to meet an attack from any point of the compass. Then the agony of waiting began.

There was only one relatively bright spot in their position. The German artillery could do the "Lost Battalion" relatively little damage. The German artillery opened fire at 8.30 a. m., but few of the shells got home because of the battalion's peculiarly lucky position on the steep back of the hill near the crest. The shells from the German field guns and howitzers whizzed right over the crest of the hill and over the heads of the "Lost Battalion." More disconcerting was the fire from a German trench mortar 600 yards in the battalion's rear. A platoon sent back to silence this mortar was driven back by murderous machine-gun fire from the rear.

At dusk of the same day, October 3, enemy voices were heard on the left flank, and Cossack patrols, drawn in, reported large groups of lurking Germans seen through the trees. In the growing darkness the voices drew nearer, and the commands could be clearly distinguished; also the frequent ejaculation "Amerikaner."

It was uncanny to be able to eavesdrop the preparations for an impending attack without knowing from which of four sides it might ultimately be launched. Clarity was brought by a daring scout, who returned and reported massed Germans on the 20-foot-high cliff which overhung the road cut into the slope of the hill on which the front of the "Lost Battalion" rested.

German commands could now be heard in front, at the rear, and on the left flank as the Germans came into position for a concerted attack. The "Lost Battalion" was cautioned to be "steady," as the supply of ammunition was very limited.

HAIL OF GRENADES.

Suddenly from the top of the cliff the men heard the German command, "All together, now." A hail of hand grenades nicknamed "potato mashers" followed. The hand-grenade attack lasted 10 minutes. The men of the "Lost Battalion," however, were models of steadiness and fired not a shot, though ready to fire at word of command.

Again the German command "Everything in readiness" was heard from the top of the hill, heralding the second attack. But it was never pulled off, because the "Lost Battalion" now received the eagerly awaited order to "commence firing," and the boches were "caught in the act," out of their holes, in erect positions ready to toss their potato mashers. The effectiveness of the American rifle was proved by the cries of the wounded Germans in the woods above the cliff. No more German commands were heard that night. During this second night the disheartened enemy confined himself to occasional bursts of machine-gun fire. The diary of the "Lost Battalion" also shows that by October 4 the effective strength of the battalion had been reduced to 520.

There is also one regularly recurring rubric in the "Lost Battalion's" diary: "Forlorn hope" patrols and runners who never returned—sent out day after day on the long chance of breaking through to regimental headquarters.

FIRST PANGS OF HUNGER.

October 4 is notable, because this day the men of the "Lost Battalion" first began to feel the pangs of hunger. Also, at 4 p. m., the Germans tried their second big attack. Again their preparatory movements could be heard through the trees and underbrush on all four sides. But this time the Germans tried a trick. On the right of the battalion English speaking boches called out in the vernacular, ordering the Americans to get ready to retreat, as it had been decided to retire from the entire position.

One American outpost on the right actually fell for the trick, designed to demoralize the "Lost Battalion" and make it an easier prey. This doughboy, in perfect good faith, was caught by an officer crawling out of his hole and putting on his pack preparatory to leaving. Orders were quickly spread throughout the battalion to be on guard for Teuton trick plays.

The German attack this time was from all four sides: rifle and machine-gun fire from rear and both flanks and hand grenades from the cliff in front.

The Germans again tried a trick play. The order "Gas masks!" was shouted, but with such an obvious Teuton accent that it elicited the spirited American mass reply, "Gas masks, hell!"

There was no rest for the "Lost Battalion" that night. The American rifle fire had taken the heart out of the German attack, and after the failure of their tricks the Teutons showed no longing to come to close quarters. But their fire and hand grenade throwing kept up all night, answered by American rifle fire whenever the men heard a profitable sounding target. For the supply of ammunition was pitifully limited.

The last stand of the "Lost Battalion" now assumed a touch of grim Homeric humor. The boche, apparently feeling sure of his prey, commenced jeering the little band in English, and the men retorted with volleys of unprintable epithets. The Germans from now on made a practice of trying to "get the goat" of the "Lost Battalion" by shouting orders in English to the men, who, in turn, told the boches plainly, both in the vernacular and in unprintable German, just what they thought of them.

BATTLE OF CURSING.

The intermittent rifle and machine-gun firing was accompanied by continuous volleys of choicest invectives on both sides, the Americans, however, clearly having the best of it in quantity as well as quality of rhetoric. The psychological effect of this form of warfare on the men was to enrage them and fill them with a burning desire to kill as many of the jeering boches as possible; and vocally venting their feelings undoubtedly did much to keep their morale at the sizzling point in the face of famine and seemingly certain death.

The diary of the "Lost Battalion" for the next three days is a monotonous agony of waiting and starving, fighting and dying. One day was like another. It was hardly worth while, or possible, to keep a record of the successive German attacks. Organized German attacks were frequent and the harrassing was continuous. From one thing the battalion did not have to suffer—from thirst. A spring was discovered on the premises. And from these premises, its formation on the hill slope, the battalion did not budge an inch in any direction for five days.

There being nothing to eat there were no regular meal times to help pass the time. But there was plenty of rain. There was little sleep or rest. Continual alertness was the price of safety. It was sure death to stand up by day. There was nothing for it but to hug the ground from daybreak till dusk. And this ground, the battalion's camping ground, was gradually, ruthlessly torn up by enemy trench mortars and raked by grazing machine-gun fire.

Pitiful, too, was the plight of the wounded. Of the medical detachment there were only two survivors. They were forced to make their rounds crawling and to keep close to the ground when giving first and last aid.

For the seriously wounded there could be no help. Even the lighter wounded had to suffer excruciating, prolonged tortures, since the supply of bandages had run out, and the newly wounded could not be dressed until the old bandages had been removed from the dead. The living lay among the unburied dead—necessarily unburied—for burial by day would have been suicidal; also, the men were kept too continuously busy beating off the boche to bury their dead; and as the days wore on they became too weak from hunger to dig graves by night. The raw, bleeding battlefield held by the "Lost Battalion" had all the makings of a hell hole.

In spirit the "Lost Battalion" men were very much like shipwrecked mariners in a small boat lost at sea, scanning the horizon for a rescuing vessel. Though exhausted by hunger and exposure and fighting, their morale continued unimpaired; they seemed never to give up all hope of being rescued by their comrades of the Seventy-seventh. They were victims of some cruel false hopes and false alarms.

HOPES OF SUPPORT DASHED.

The first of these illusory thrills was on October 4, when the "Lost Battalion" heard firing to the south. During the night the firing seemed to draw nearer, and hopes were keyed high that the division had effected a break through and that relief was near. But daylight disclosed no sign of rescuers, far or near.

Heartbreaking, too, was the fact that although huge white panel cloths were spread on the ground, and our aeroplanes were repeatedly sighted, there was no assurance that the "Lost Battalion" had been located. For all the battalion knew, it might really have been "lost."

Some assurance that the division really knew of the plight of the "Lost Battalion," as well as its exact position, came on October 5, when the division's artillery, which in the morning had been placing its heavy fire far to the rear of the "Lost Battalion," suddenly jumped its barrage forward, over the heads of the heroic band, and laid it on the crest of the hill just in front of the battalion's position, incidentally breaking up a German mass attack as it was about to be sprung. This unexpected American barrage was a life-saver and seemed to the exhausted men almost like an act of Providence, though full credit was given to the solitary American aeroplane which had winged over their heads without dropping any sign of recognition. However, the men now figured out that their comrades knew they were there and were coming to their rescue.

The remnants of the "Lost Battalion" now took on a new lease of life, but of short duration. After hopes had been raised to the highest pitch by the sight and sound of the miraculous barrage, the artillery firing suddenly ceased, and at night, when it resumed, the firing seemed fainter and farther away than ever. The reaction of futile, false hopes was terrible to bear. On the morning of October 5 the battalion had numbered only 375 effectives; by nightfall heavy casualties suffered from the raking, merciless German machine-gun fire had still further reduced its fighting strength.

NO FOOD IN FOUR DAYS.

Sunday, October 6, the enemy continued his systematic machine-gun fire and trench-mortar bombardment, but the survivors of the "Lost Battalion" were almost exclusively absorbed in the vacuum of their stomachs. With few fortunate exceptions they had not had a mouthful of food in four days.

The story is told of one man who on this day found a piece of bacon rind in his pocket, which he had used for rubbing a wound in his hand. He divided this piece of bacon rind with his funk-hole mate, and both ate it greedily.

Famished men with sufficient strength crawled out of bounds at night and went through the boche dead in search of food, occasionally retrieving a small piece of hard, black bread. American aeroplanes, now flying more frequently overhead, dropped food packets—tantalizingly, invariably, out of the battalion's reach.

On Sunday, October 6, the effective strength of the "Lost Battalion" had been reduced to 275. Both machine-gun officers, Lieuts. Peabody and Noon, were killed during the day; only one machine gun out of nine was still working, and machine-gun ammunition was almost gone.

Monday, October 7, saw the soul crisis of the "Lost Battalion." From none of the men had come a suggestion of surrender. The subtle temptation now came from the enemy. In the morning a patrol, nine strong, went into the woods to try and recover a food parcel dropped by one of our aeroplanes. Outnumbered and overpowered by a German outpost, five were killed, four wounded and taken prisoners.

GERMAN TEMPTATION.

One of these, a private of Company H, was sent back to the battalion with a note from the German commanding officer, reading:

"SIR: The bearer of this present has been taken prisoner by us. He refused to give the German intelligence officer any answer to his questions and is quite an honorable fellow, doing honor to his fatherland in the strictest sense of the word.

"He has been charged against his will, believing that he is doing wrong to his country, to carry forward this present letter to the officer in charge of the battalion of the Seventy-seventh Division, with the purpose to recommend the commander to surrender with his forces, as it would be quite useless to resist any more, in view of the present conditions.

"The suffering of your wounded men can be heard over here in the German lines and we are appealing to your humane sentiments to stop. A white flag shown by one of your men will tell us that you agree with these conditions. Please treat the bearer as an honorable man. He is quite a soldier. We envy you."

Maj. Whittlesey, Capt. McMurtry, and Capt. Holderman read the note in turn. Maj. Whittlesey ordered the two white panels, spread on the ground for the purpose of attracting the attention of American aeroplanes, to be removed, so that not even a suspicion of a white flag of surrender might show on that hillside.

The news of the German note, tempting the "Lost Battalion" to surrender, quickly spread among the men, but not a man was in favor of it. Prostrate on the ground, in many cases too weak from hunger to stir, they had life and spirit enough left in them to call over to the boche to "Come over and get us," amplified with some choice but unprintable epithets.

LAST, HARDEST FIGHT.

In the evening unmistakable American musketry and machine-gun fire, unmistakably coming their way, sounded like sweet music in the ears of the "Lost Battalion." But they had to put up one last and hardest fight before the approaching relief became effective. The Germans tried a last farewell, desperate assault, this time with liquid fire. But, like all their innumerable previous attacks, this one, too, was smeared by the survivors of the "Lost Battalion," and as the last Germans were beaten back and disappeared men of the Three hundred and seventh Infantry were coming up on the right while patrols of the Three hundred and eighth were reported advancing from the south. The agony of the "Lost Battalion" was over. On the morning of October 8, 252 survivors of the original 679 returned from the "pocket," leaving the dead to hold the position.

CHAPTER IV.

SUPREME TEST.

The supreme test of the Seventy-seventh Division began on the morning of October 2, lasting five critical days and trying the mettle of its morale as it was never tried before nor after.

The heroic story of the "Lost Battalion" was only an interlude in the epic fight through the Argonne. And while the "Lost Battalion" was fighting and starving and dying the entire division continued the attack, day after day, for five days, pursuant to standing orders to "break the enemy line, regardless of cost, and push forward without regard to flank protection."

All attacks along the line on October 2 failed, with the exception of the temporary break through of the "Lost Battalion." On the morning of October 3 the general attack was renewed, the purpose being primarily to advance, and, secondly, to reestablish communication with Maj. Whittlesey's detachment. But owing to the difficulty of the terrain, the inevitable absence of adequate artillery preparation, and the thick character of the country no appreciable progress was made during the day either to left or right.

In the morning the One hundred and fifty-fourth Brigade on the left made a determined attack to break through to Charlevaux Mills, but the enemy held at all points. Two subsequent attacks in the course of the day failed to make any impression on the enemy line. Equally determined attacks by the One hundred and fifty-third Brigade on the right had no better luck. In an attack at 4 p. m. the Second Battalion of the Three hundred and fifth lost 5 officers killed and over 200 men killed or wounded, indicating the desperate character of the fighting.

HEARTENING PRAISE.

This day, however, brought a heartening communication of commendation from the chief of staff of the First Army Corps to the commanding general of the Seventy-seventh Division reading:

"The corps commander has directed me to extend to you and to the entire Seventy-seventh Division a most cordial expression of his gratification at the steady, solid progress made since the beginning of the operation now under way.

"The difficulties of the terrain are fully understood, and the amount of ground gained is noticeable, while your supplies and communications are thoroughly satisfactory."

Continued failure to gain at any point—a fine test of morale—merely served to increase the fighting spirit of the Seventy-seventh. The fighting gained in violence. On October 4 and 5 five determined attacks were launched by the One hundred and fifty-fourth Brigade against the position in front of them. The brigade commander, Brig. Gen. Evan M. Johnson, personally led the attacks, but without success. This lack of success was not due in any sense to incorrect direction of these attacks, but was brought about by the extreme difficulties of the terrain, the lack of adequate artillery support, due to the impossibility of observation of fire, and the close proximity of the opposing lines.

On October 6 a battalion of the Three hundred and seventh, reenforced by the elements from the One hundred and fifty-third Brigade, finally succeeded in working its way up the ravine south of the Bois de la Naza, while as a ruse the Three hundred and eighth Infantry and the remainder of the Three hundred and seventh made noisy demonstrations along the entire brigade front to divert the enemy's attention.

That ruse was partly successful, and the relief expedition made good progress before it was discovered and checked by close-range mass machine-gun fire from the Bois d'Apremont on the right flank. Simultaneously on the afternoon of the 6th, nine companies of the One hundred and fifty-fourth Brigade bucked the enemy front line so consistently that by evening they had the boche beginning to give ground.

GERMANS ON THE RUN.

But there was no let-up in the attack. The Seventy-seventh had reached the pinnacle of its fighting power and by the morning of October 7 it had the Germans on the run all along the line. The Three hundred and eighth Infantry on the extreme left encountered no resistance and pushed ahead. The Three hundred and seventh Infantry reached the Binarville-La Viergette Road. The "Lost Battalion" was

relieved. The pursuit of the retreating Germans was pressed sharply. Under this fierce pressure the Germans abandoned their entire main line of resistance, the One hundred and fifty-third Brigade alone scoring an advance of 2 kilometers.

The Seventy-seventh had triumphed over the crisis; from now on it was relatively a walkover—a promenade through the remnant part of the Argonne.

The division continued its advance on October 8, meaning that, though machine-gun resistance was to be found everywhere, as was to be expected, enemy organized positions were not further in evidence. Best of all the dark Argonne Forest opened up; there were now breathing spaces for tactical maneuvers. For the first time since the Argonne drive began, the men saw sunlight and patches of blue sky, patches of fields and opening vistas.

By October 9 the division had broken out of the northern edge of the Argonne Forest, having completed a task unique in the annals of the American Expeditionary Force. The enemy had exploited the five-day holdup of the division to bring up reinforcements, and on this day elements of three fresh enemy divisions were spotted—the Forty-first and Forty-fifth Reserve Divisions and the Fifteenth Bavarian Division. But they came too late. During October 9 and 10 the division scored an average advance of 10 kilometers (6¼ miles). The Three hundred and fifth and Three hundred and sixth Infantry captured La Besogne and Marcq, while the First Battalion of the Three hundred and sixth annexed Chevieres.

The advance was continued October 11, the One hundred and fifty-fourth Brigade taking over the entire divisional front. The division was now able to profit by the open country by getting up its artillery, of whose services it had been largely deprived during the passage of the Argonne Forest.

By October 12 a new line of enemy resistance had, however been reached. Patrols attempting to enter Grand Pre on that day were driven back, while the Three hundred and second Engineers made repeated unsuccessful attempts to bridge the Aire under heavy artillery and machine-gun fire. One more tough assignment was reserved for the battle-worn Seventh-seventh—the taking of Grand Pre and St. Juvin.

MORE COMMENDATION.

The following corps communication reached the Seventy-seventh on this day, addressed to its commanding general:

"The corps commander directs me to inform you that he feels once more during the present operations called upon to express his gratification and appreciation of the work of the Seventy-seventh Division.

"This division had been in the line constantly since the night of September 25, under circumstances at least as difficult as those which have confronted any other division of the First Army.

"In spite of these conditions your command has pushed steadily forward on a line with the foremost, and to-day, after 18 days of constant fighting, is still ready to respond to any demand made upon it.

"The corps commander is proud, indeed, of such a unit as yours, and congratulates you on such a command."

During the night the Three hundred and second Engineers succeeded in bridging the Aire under cover of the division's artillery fire. At 8.30 on the morning of October 14 the Three hundred and sixth Infantry, supported by the Second and Third Battalions of the Three hundred and fifth, attacked St. Juvin, which the Eighty-second Division had previously failed to take in three attempts. Repeated attempts of the First Battalion of the Three hundred and sixth to force the passage of the Aire were smeared by the fierce enemy barrage, the battalion losing seven officers killed.

The Second Battalion of the Three hundred and sixth had better luck and got across the Aire east of Marcq, partly by wading, partly by scrambling across on planks, and three-quarters of an hour later it had fought its way into St. Juvin, closely followed by the supporting Second and Third Battalions of the Three hundred and fifth Infantry, for the grand mopping-up party, the bag including 500 prisoners, including two majors. Owing to the shortage of guards some of the prisoners had to be turned over to military police of the adjoining Eighty-second (American) Division. In the afternoon of the 14th the capture of St. Juvin was clinched by the storming of the dominating Hill 12 by Company D of the Three hundred and sixth Infantry and Company D of the Three hundred and fifth Machine Gun Battalion.

On October 15, emulating the exploit of the One hundred and fifty-third Brigade, the One hundred and fifty-fourth Brigade executed an attack against Grand Pre which resulted in its capture and occupation.

RELIEVED AND REFRESHED.

The Seventy-seventh Division was relieved by the Seventy-eighth Division during the night of October 15–16. The division, on being relieved, was concentrated in the vicinity of Pylone and Camp de Bouzon, where it received replacements, new supplies of clothing, and where also it was bathed. This was not a period of real rest for the worn division, however, as the rest camps of the division were always under enemy shell fire and nightly bombardment by enemy avions.

During the advance through the Argonne Forest the Seventy-seventh Division captured 631 prisoners, including 12 officers, 10 pieces of heavy ordnance, 150 machine guns, and $2,000,000 worth of engineer and railway material. The casualties of this operation, extending from September 25 to October 16, were heavy: Twenty-four officers and 537 men killed, 98 officers and 3,038 men wounded or missing.

CHAPTER V.

WHIRLWIND FINISH.

The Seventy-seventh—conquerors of the Argonne—had the satisfaction of putting up a whirlwind finish to the firing of the last gun of the war—a worthy close to their fine fighting history.

At the beginning of the great drive to the Meuse of the First American Army the worn Seventy-seventh had been pulled out of the line and replaced by the Seventy-eighth. For the next two weeks the Seventy-seventh was in supporting position, in the rear of the Seventy-eighth, on a line between Grand Pre and St. Juvin; and this brief respite from fighting was devoted to much needed refilling and recquipping. One brigade alone was short 3,500 men.

"Doping" the news was rife in the ranks during these two weeks. The collapse of Turkey and Austria and Germany's last desperate peace offensive kept all tongues wagging. But though the division sensed the beginning of the end the peace talk did not impair its fighting morale.

On the night of October 31–November 1 the Seventy-seventh was sent back into the front line, relieving the Seventy-eighth, and found its old front just where the division had left it. No gain had been scored in the division's absence. The division was ordered to perform the difficult feat of attacking immediately after effecting the relief of the Seventy-eighth, elements of which were left as a light screen in front of the Seventy-seventh almost up to the hour set for the attack, in order to deceive the enemy.

ATTACK ON KRIEMHILDE LINE.

The One hundred and fifty-third Brigade drew the post of honor in the front line, with the One hundred and fifty-fourth Brigade as divisional reserve. The Three hundred and fifth Infantry took up its attacking position in the Ravine aux Pierres, with the Three hundred and sixth stationed just south of St. Juvin. The Three hundred and seventh Infantry, posted at Pylone, had orders to follow the attacking brigade at a distance of 1 kilometer, while the Three hundred and eighth Infantry was held at Marcq. The division's artillery, which had begun to go into position on October 26, was posted with its 75 batteries between Marcq and Sommerance, while the batteries of 155s were posted between La Besogne and Cornay. This was the line-up of the Seventy-seventh for its attack on the famous Kriemhilde Stellung.

The enemy's rear-guard defensive tactics had undergone no change. At the beginning of its drive to the Meuse the Seventy-seventh's job was the old costly and thankless game of bucking the line against systems of machine-gun nests on every hillcrest and slope.

At dawn of November 1, after two hours of artillery preparation, the One hundred and fifty-third Brigade went over the top and carried its attack up the steep hill to Champigneulle, which was the center of a formidable trench system. Two companies reached the secondary objective—the road running from Champigneulle to St. Georges—while machine gunners broke the resistance from the trench systems southeast of Champigneulle and from Min Mohin. One of the advanced companies beat off three desperate counterattacks; but, on the whole, the first day's attack of the Seventy-seventh was not much of a success, yielding only a very slight advance.

An intercepted German army order signed by Gen. von der Marwitz confirmed the suspicion that the Germans were determined to fight to the last man at this critical point of their line. In his appeal to his partly demoralized troops Gen. von der Marwitz stated the ominous fact that if the American Army succeeded in cutting the Longuyon-Sedan Railroad the only avenue of escape for the Germans from the west would be cut off.

CHAMPIGNEULLES STORMED.

The second day of the attack, November 2, found the Seventy-seventh up to its best fighting form. A change of command had taken place in the One hundred and fifty-third Brigade overnight, Col. Vidmer now commanding. With both the Three hundred and fifth and Three hundred and sixth Infantry in the front line this time, the strongly fortified town of Champigneulles was stormed early in the morning in half an hour of actual fighting. Both regiments continued their advance. Verpel, four kilometers north of Champigneulle, was taken at 10 a. m. by elements of the Three hundred and sixth Infantry, and by noon the advance guard had penetrated to the north of Verpel.

The advance of the Seventy-seventh was speeded up to such a pace that the command undertook to send motor trucks to the front in order to carry the doughboys forward quicker. But the road conditions were such that the motor trucks could not catch up with the rapidly advancing Infantry. The drive of the Seventy-seventh to the Meuse was fast becoming a race for Sedan.

November 2 was a record day, for the advance continued all afternoon and until late in the evening. By night the Seventy-seventh had added Harricourt, Thenorgues, and Bar to its bag, while the German official communique said whimsically, "We have readjusted our position to a depth of 10 miles."

Fast as the Infantry of the Seventy-seventh sprinted across country the Germans ran even faster, and for a good part of November 2 contact was lost with the enemy. Late at night patrols succeeded in regaining contact with the enemy near Autruche. So fast had been the American advance in places that isolated captured German machine gunners actually mistook the advancing Americans for their own retreating rear guard.

November 3 the Three hundred and sixth Infantry continued the advance, with the Three hundred and fifth acting as brigade reserve. The Three hundred and sixth swept through the towns of Autruche at 9 a. m. and Fontenoy at 2 p. m. without encountering opposition. In the headlong rush a single platoon captured two German batteries which had remained in position between Fontenoy and Autruche, firing right up to the last minute, but failing to make their getaway.

"SOUVENIRS FOR YOU AMERICANS."

A touch of German humor was encountered in Autruche. One house bore a German painted sign, in English, "For officers only." On the mantelpiece of one of the rooms were found several German helmets and pistols and tacked to the wall the sign, "Souvenirs for you Americans." And under this legend, "We shall be home by Christmas and you won't."

At 3 p. m. the Three hundred and sixth Infantry passed through Pierremont in the direction of Oches, which proved a point of temporary enemy resistance, the advancing troops encountering high explosive shells and mustard gas and machine-gun resistance.

November 4 the difficult feat of a "running relief" was skillfully performed. Without checking the pace of the advance the One hundred and fifty-fourth Brigade relieved the One hundred and fifty-third in the front line, the latter following as divisional reserve. The fresh brigade gained a kilometer during the day, capturing the town of Oches, though unofficially it was captured by the interpreter of the Three hundred and eighth Infantry, who had gone ahead of the regiment to locate suitable regimental headquarters, and found only French civilians in the town, which had been hastily evacuated by the German.

The false report of the Kaiser's abdication caused loud cheers, but no let-up in the fighting spirit. Operations were even speeded up a bit on November 5, when, at 6.30 a. m., the entire division attacked in line, the One hundred and fifty-third Brigade on the right and the One hundred and fifty-fourth on the left.

White flags floating from the church steeple in the town of Stonne were suspected to be a German ruse, but turned out to have been hung out by the anxious French population as an appeal to the American artillery to spare the town. The Americans, on entering without enemy opposition, were hailed as liberators, and the grateful townspeople even offered the men of the Seventy-seventh food from their own scanty stocks. There was nothing much for the division to do on this day but to advance and mop up.

The direction of the division's attack now took a sharp turn to the northeast, following the course of the Meuse. At 10 a. m. November 5 the town of La Besaze was captured and 5,000 French civilians liberated.

RECORD ADVANCE.

November 6 the division made a record advance of 14 kilometers (about 9 miles) from the line Stonne-La Besace toward Sedan. This was more than twice as great as the division's best previous record. The One hundred and fifty-third Brigade entered Finba at 9.55 a. m. and, continuing to push its advance sharply, by 2 p. m. its patrols had reached Autrecourt, on the west bank of the Meuse, finding it unoccupied by the enemy.

By 4 p. m. the front-line battalions were established on the heights overlooking the Meuse. Patrols sent out to reconnoiter reported that all bridges had been destroyed.

November 7 the division pushed up to the Meuse preparatory to crossing, and with the reaching of the Meuse ended the actual operations of the Seventy-seventh Division. The One hundred and fifty-third Brigade had reached the Meuse only a few hours ahead of the One hundred and fifty-fourth Brigade, on its left, which had completed a brilliant advance through Raucourt, Meuse la Angecourt, and Remilly sur Meuse. At midnight, by the light of the burning town of Allicourt, fired by the boche, Sedan could be seen in the distance by the Seventy-seventh, bivouacking on the heights of the Meuse.

November 7 a reorganization of forces was ordered preparatory to a further advance—which never came off, frustrated by the armistice. The leading elements of the division were pushed up to the Meuse preparatory to a crossing.

ACROSS THE MEUSE.

In the morning the Three hundred and second Engineers started to erect a footbridge for the crossing at Villers, as the Meuse was found unfordable. At 3.45 p. m. the bridge was completed and, under heavy fire, two platoons of A Company, Three hundred and fifth Infantry, succeeded in forcing the passage of the Meuse and getting a foothold on the east bank. Repeated attempts to throw a bridge across the Meuse at Remilly sur Meuse were finally successful, and patrols of the Three hundred and seventh Infantry were pushed across to the east bank in the night at this point.

November 8 the Seventy-seventh Division was ordered to take over the entire corps front of 25 kilometers (15½ miles).

As the entry into Sedan had been allocated to the French there was no more work for the Seventy-seventh to do, nothing except to hold the watch on the Meuse and listen to the siren song of the peace dove. November 10 brought the Seventy-seventh its first authentic peace news.

The night of November 10 and the morning of the 11th are unforgetable by the Seventy-seventh. Its sector had suddenly become quiet. Solitary boche shells alone reminded them that a war was still on. A suspected attempt on the part of the Germans to fraternize was spotted in the night when the Germans were seen to be sending up red, white, and blue light rockets in quick succession. Not a man of the division was killed during the night and morning preceding the armistice.

At 11 a. m. on November 11 the fighting history of the "Liberty Division" was all over but the shouting.

CHAPTER VI.

WAR RECORD SUMMARY.

The Seventy-seventh Division arrived in France on April 13, 1918, and it is still here, though it has high hopes, alternating with fearful misgivings, of seeing again—soon—the Statue of Liberty, the divisional insignia (gold liberty embroidered on blue rectangular background), which it proudly wears sewed on its left sleeve. But, thanks to the common sense military censorship, the summary of its war record needn't wait for publication until the boys get back to Broadway and tell about it.

The "Liberty Division" suffered a grand total of 9,611 casualties (317 officers and 9,294 men), as follows: Sixty-nine officers and 1,299 men were killed in action; 10 officers and 188 men died of wounds received in action; 69 officers and 1,894 men were severely wounded; 82 officers and 2,889 men were slightly wounded; 71 officers and 2,297 men were gassed; 13 officers and 696 men are missing; 3 officers and 31 men were reported prisoners in Germany. The very small number of reported prisoners is notable. It indicates that the spirit of the "Lost Battalion" was the spirit of the whole division at all times.

The Seventy-seventh Division captured 750 prisoners (13 officers and 737 men), as follows: No officers and 3 men in the Baccarat training sector; no officers and 27 men on the Vesle; 12 officers and 619 men in the Argonne Forest drive; 1 officer and 88 men in the advance from the Aire to the Meuse.

The Seventy-seventh Division is credited with capturing 7,600 rifles, 18 pieces of heavy artillery, 14 piece of light artillery, 46 trench mortars, and 277 machine guns, yielding the following interesting analysis: No material of any kind in the Baccarat sector; 1,000 rifles and 25 machine guns on the Vesle, but no artillery; 3,400 rifles, 5 pieces of heavy artillery, 3 pieces of light artillery, 35 trench mortars, and 155 machine guns in the Argonne drive; 3,200 rifles, 13 heavy guns, 11 light field-pieces, 11 trench mortars, and 97 machine guns in the Aire-Meuse advance.

The Seventy-seventh Division gained a total of 71½ kilometers (about 45 miles), as follows: Nothing in the Baccarat training sector; 12 kilometers in the advance from the Vesle to the Aisne; 22 kilometers in the drive through the Argonne; 37½ kilometers in the advance from the Aire to the Meuse.

IN FOUR FRONT SECTORS.

The Seventy-seventh Division operated in four different front sectors (one quiet, three active), being in the front line for a grand total of 112 days, as follows: Forty-five days in the quiet Baccarat training sector; 35 days in the active Vesle sector; 20 days in the Argonne drive; 12 days in the advance from the Aire to the Meuse.

Some idea of the fleatlike mobility and frequent jumps of the Seventy-seventh Division may be gathered from the fact that its headquarters has moved twenty-seven times since the division came to France to date, and further moves are impending before the last jump home. On the arrival of the Seventy-seventh in France division headquarters were pitched at Cocove Chateau on April 15; it removed to Eperlecques, in the Pas de Calais Department, April 22, for the training period under British auspices; thence to Fauquembergues June 6 and Monchy Cayeau June 8.

During the Baccarat training period division headquarters set up shop at Rambervillers June 16, thence removing June 21 to Baccarat, where it remained until the division was sent into the Vesle sector. During the Vesle operation division headquarters successively occupied the premises at Bayon (Aug. 4), Coulomieres (Aug. 8), Chateau Bruyeres (Aug. 10), Marcuil-en-Dole (Aug. 12), Fere-au-Chateau (Aug. 13), and Cave N of Ferme-des-Filles (Sept. 4). September 16 division headquarters moved to Coulonges preparatory to the Argonne drive; thence to Givry-en-Argonne (Sept. 18) and to Les Vignettes (Sept. 21). The beginning of the Argonne operation found division headquarters pitched in Pau, in the Argonne Forest, whence it advanced to Champ Mahaut, the luxurious German rest resort in the heart of the Argonne (Sept. 25).

October 12 saw division headquarters roughing it on an unnamed spot in the Argonne Forest, locatable only by its artillery coordinates. From here it removed to Chatel Chehery (Oct. 12), then back to Champ Mahaut (Oct. 16) for a two weeks' rest. On October 31, at the beginning of the advance from the Aire to the Meuse, division headquarters was back again in Chatel Chehery; next day (Nov. 1) it had moved again to Cornay, thence (Nov. 3) to Verpel; (Nov. 5) to St. Pierrepont, and thence (Nov. 7) to Raucourt—its armistice stand. On November 21 it had moved back to Les Vignettes; on November 30 divisional headquarters of the Seventy-seventh settled down for its most prolonged stay at Chateauvillain, in the Chaumont training area, where it still is at present writing.

OFFICERS AND MEN DECORATED FOR BRAVERY ON THE BATTLE FIELD.

The Seventy-seventh Division has gleaned its full share of honors. It includes three winners of the congressional medal of honor—Maj. F. R. Whittlesey and Capt. George R. McMurtry, both of the "Lost Battalion," and Pvt. Albert Peck, of Hornell, N. Y.

So far, 82 distinguished-service crosses have been awarded within the division, and further awards are confidently expected. Of the 82, 26 were won by officers and 56 by men. Of the latter, 11 sergeants, 9 corporals, 35 privates, and 1 cook secured the coveted cross.

For the Infantry of the division, the record is held by the Three hundred and eighth Regiment, with 23 distinguished-service crosses, closely pressed in second place by the Three hundred and seventh Regiment, with 21; the Three hundred and sixth Regiment is third, with 17; and the Three hundred and fifth tailender, with 8.

Four members of the Three hundred and second Engineers were awarded distinguished-service crosses; likewise two members of the Three hundred and fifth Field Artillery and two members of the Three hundred and sixth Machine Gun Battalion.

The full list of those decorated to date is as follows:

THE HONOR ROLL.

Col. George Vidmer, Three hundred and sixth Infantry; Col. Raymond Sheldon, Three hundred and seventh Infantry.

Lieut. Col. Creswell Garlington, G. S. 77.

Capts. William Mack, Three hundred and fifth Infantry; Bradford Ellsworth, Three hundred and sixth Infantry; Herman E. Stadie, Three hundred and sixth Infantry; Nelson M. Holderman, Three hundred and seventh Infantry; Weston C. Jenkins, Three hundred and seventh Infantry; James M. McKibbin, Medical Corps.

First Lieuts. Theodore S. Kenyon, Three hundred and sixth Infantry; Thomas C. Colley, Three hundred and eighth Infantry; Paul R. Knight, Three hundred and eighth Infantry; Andre de Coppet, A. D. C., Seventy-seventh; C. W. Turner, Three hundred and eighth Infantry; John A. Walsh, Three hundred and second Engineers; Michael J. Hayes, Three hundred and sixth Infantry; Alfred W. Gardner, Three hundred and fifth Infantry; Charles O'Brien, Three hundred and sixth Infantry; James Finlay Brown, Three hundred and second Engineers.

Second Lieuts. Charles S. Dennison, Three hundred and sixth Infantry; E. E. McDowell, Three hundred and fifth Infantry; Leonard Cox, Three hundred and fifth Infantry; E. W. Akers, Three hundred and eighth Infantry; Arthur A. Robinson, Three hundred and fifth Field Artillery; John B. Flood, Three hundred and eighth Infantry; Harry Rogers, Three hundred and eighth Infantry.

Sergts. Jules Grugas, jr., Three hundred and second Engineers; George W. Beatty, Three hundred and sixth Infantry; William Benjamin, Three hundred and seventh Infantry; Charles A. Briggs, Three hundred and sixth Machine Gun Battalion; William Mohrman, Three hundred and seventh Infantry; Abraham Belefont, Three hundred and seventh Infantry; John Blohm, Three hundred and fifth Infantry; Francis W. Wagner, Three hundred and eighth Infantry; Patrick Freeman, Three hundred and sixth Infantry; Frank J. Roskoski, Three hundred and second Engineers; Oscar P. Lippe, Three hundred and seventh Infantry.

Corpls. Herman Nubel, Three hundred and seventh Infantry; Louis Sorrow, Three hundred and seventh Infantry; Henry McPherson, Three hundred and sixth Infantry; Vincent P. Zielniski, Three hundred and sixth Infantry; Henry Bateman, Three hundred and seventh Infantry; Gustave H. Johnson, Three hundred and fifth Field Artillery; Thomas F. Maroney, Three hundred and eighth Infantry; James A. Collins, Three hundred and eighth Infantry; Joseph A. McAllister, Three hundred and seventh Infantry.

Cook William Shefin, Three hundred and sixth Infantry.

Privates Henry Miller, Three hundred and eighth Infantry; Joseph Friel, Three hundred and eighth Infantry; Albert C. Peterson, Three hundred and seventh Infantry; James F. Kobernot, Three hundred and seventh Infantry; Earl Millsap, Three hundred and seventh Infantry; Carl I. Johnson, Three hundred and sixth Infantry; Jack Herschkowitz, Three hundred and eighth Infantry; John J. Monson, Three hundred and eighth Infantry; George Goumas, Three hundred and seventh Infantry; Barney Bardman, Three hundred and seventh Infantry; Sing Kee, Three hundred and seventh Infantry; Joseph Charles, Three hundred and seventh Infantry; Patrick Rockford, Three hundred and eighth Infantry; Irving Sirota, Three hundred and eighth Infantry; Irving A. Liner, Three hundred and eighth Infantry; Harold Batley, Three hundred and eighth Infantry; Joseph Vercruysse, Three hundred and sixth Infantry; Peter Matter, Three hundred and seventh Infantry; Sidney Smith, Three hundred and eighth Infantry; William C. Evans, Three hundred and sixth Infantry; Clifford R. Brown, Three hundred and eighth Infantry; Stanislaw Kosikowski, Three hundred and eighth Infantry; Patrick Hendrichs, Three hundred and eighth Infantry; James Sullivan, Three hundred and sixth Infantry; Philip Cipeglia, Three hundred and eighth Infantry; James M. Bragg, Three hundred and eighth Infantry; Abraham Kroteshinsky, Three hundred and seventh Infantry; Grover Sullivan, Three hundred and sixth Infantry; Francis L. Monk, Three hundred and seventh Infantry; John A. Dilliard, Three hundred and sixth Machine Gun Battalion; Reginald C. Scott, Three hundred and fifth Infantry; Robert L. Crandall, Three hundred and fifth Infantry; Solomon Shahwood, Three hundred and fifth Infantry; John E. Gartright, Three hundred and seventh Infantry; Aaron Yamin, Three hundred and sixth Infantry.

The Seventy-seventh is agog with pleasant rumors that it will move from its present training area to the Le Mans area about the middle of February, there to get in shape for embarkation. The division confidently hopes to get home some time in March.

JOB FOR EVERY MAN.

Much of the division's present activity is in preparation for the home going and sequent break-up. A determined effort is being made to find a job for every man who needs and wants one, so that every man will be cared for when the division is finally disbanded.

The Seventy-seventh Division employment bureau has been organized under the auspices of the Seventy-seventh Division Association. A major, drafted from the line for the purpose, and a large force of khaki clerks run this novel employment bureau.

Forms have been sent to every man of the division asking him, among other pertinent questions, whether he wants a job or already has one. If he wants a job, the employment form contains blanks for answering questions regarding the registrant's qualifications, personalia, previous jobs held, and nature of occupation desired or preferred. The forms sent to every member of the division also contain the pertinent question whether the registrant is an employer of labor; and if so, if he has any jobs to give away and how many men of the division he could take.

The bulk of the replies are already in and indicate that a surprisingly large percentage—approximately 70 per cent—of the men do not need jobs. An astonishingly large percentage of the members of the division, too, have turned out to be employers of labor, who are in a position to employ more men. The ideal of the Division Employment Bureau accordingly is to place all of its men who need jobs within the division itself by bringing them together with members of the division desiring employees. The bonds within the division, woven by the war, are so close that men of the division anxious for jobs are in many cases taken care of by employers within their regiments, and in some cases even in their battalions.

Only when the possibilities of employment within the division itself are exhausted will the division association look outside for work for its members.

The Seventy-seventh counts many influential friends in New York capable of giving practical assistance to the Seventy-seventh's remaining unemployed when the division comes home, and it is probable that an emissary of the Seventy-seventh, a line officer, will be sent home in the near future to get in touch with the well wishers of the division in New York and to the benefactors of its various regimental associations, with a view to having an organization all ready and functioning when the division gets back to Broadway.

DIVISION HISTORY.

Another present first-line activity is the ambitious publishing project of the division. The Seventy-seventh is justly proud of its war record, and it was accordingly planned to work up, have printed, and distribute to every returning member of the division a pamphlet embodying the brief facts of its history.

Maj. O. J. Adler was drafted from his infantry battalion and placed at the head of the newly organized staff section known as "Division History." Maj. Adler toothcombed the Seventy-seventh for poetic, artistic, and literary talent and surrounded himself with an editorial staff, occupying a large office in Chateau Villain, which has so much of the smell and feel of a newspaper office.

The project of getting out a small pamphlet history grew with the enthusiasm of "Division History" until now the Seventy-seventh plans to get out a large, handsome volume of about 250 extra-size pages, illustrated with colored plates, and about 50 half-tone pictures, making not only a permanent souvenir of the "Liberty Division" but a valuable contribution to the American-history end of the world war. The Seventy-seventh "Division History" hopes to rush work on this volume so that it can be published simultaneously with the arrival of the division in New York.

Major casualties of Seventy-seventh Division total 2,692, including 1,275 killed.

Units.	Killed in action.	Died of wounds.	Missing in action.	Prisoners.	Total.
Infantry regiments:					
305	262	150	119	.....	531
306	208	91	173	155	622
307	320	132	85	71	608
Machine Gun Battalion:					
308	343	105	125	109	682
304	2	3	.....	.....	5
305	22	9	5	.....	36
Field Artillery:					
306	42	9	1	1	53
304	25	10	2	.....	37
305	15	9	6	.....	30
306	16	10	2	.....	28
Trench Mortar Battery, 302	.....	.....	.....	.....	.....
Engineer Regiment 302	25	24	11	.....	60
Total	1,275	552	529	336	2,692

The Distinguished Service Cross has been bestowed upon Maj. Gen. Robert Alexander for his fearlessness and courage in the Argonne Battle under the most trying conditions. The Twenty-seventh Division will receive a great reception when it returns within a few days in New York City.

The Rainbow Division will receive its most wonderful demonstration of approval right here in the heart of Washington when it comes back. The people in New York City are proud of what the gallant Sixty-ninth did. They are proud of the record of the Twenty-seventh Division, but they are just as proud of the dear old Seventy-seventh Division whom they love so much. Time can not efface the deeds of all of those men. Let America give proof to the world that she has gratitude in her heart for them when they return, and that all patriotic citizens make it their own personal business to see that these men are put back to employment as quickly as possible, and that everything is done to show our approval of what they were willing to do for us.

Many of those of the 10,000 of the Seventy-seventh Division who marched up Fifth Avenue on the 22d of February, 1918, will not return. They sleep temporarily in France, and the promise made by the Government to return their last remains to this country to those of their parents who desire them should be kept. A promise made by our Government should be kept.

EXTENSION OF REMARKS

OF

HON. MILTON H. WELLING,

OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 28, 1919,

On the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WELLING. Mr. Chairman, I did not feel at liberty to inject myself into the discussion of this question during a consideration of the point of order. The question of order was best left in the hands of those of larger experience and a more comprehensive understanding of the parliamentary procedure of the House.

The question of order was ably presented by those who believe in the continuance of the appropriation for the United States Employment Service. Incidentally most of the reasons for the adoption of the Gallivan amendment were presented during that debate. Under the leave of the House, I now avail myself of the opportunity of saying what I had expected to say providing the amendment had been in order, as I had hoped it would be.

The advocates of the United States Employment Service are anxious that that activity should be continued during the period of readjustment and reconstruction. The pending bill and the deficiency appropriation bill presented by the gentleman from Kentucky [Mr. SHERLEY] on yesterday provide for the continuation of this service until June 30, 1919, only. The service is discontinued under the terms of the pending bill, because after July 1 no appropriation is made available for its continuation.

The ruling of the Chair denies the membership of the House the opportunity to vote upon the merits of the question of continuing this important service by holding the Gallivan amendment appropriating $10,000,000 for this service out of order.

It seems to me that the service should be continued for two very good reasons. During the period of demobilizing the armed forces of the Nation thousands of men will be thrown upon the labor market in congested demobilization centers. Discontent and hardship will inspire in the hearts of these men a spirit of bitterness and resentment. The labor market will be overcrowded at these points, while many other places will suffer because there is a lack of official information as to where men could be had. There will probably never occur in the lives of these men a more critical moment than the one that finds them released from the restraints of military service and confronted with the instant necessity of applying themselves to the problem of their future employment. Then if ever in the lives of these men they will appreciate the opportunity of going to some agency of the Government they have served asking, not for charity, but for the simple means of placing themselves in touch with the labor market of the country. The Government can in no way at this time manifest a saner desire to help these men than by offering them the chance of helping themselves.

Mr. Chairman, there have grown out of this war some good things which ought to become a permanent part of our domestic policy and system of government. The war has demonstrated the universal patriotism of the masses of our people. Those whose duty it was to serve at home have shown the same devotion as the men who have gone to the front with guns in their hands. There never was a time when labor and capital were more intimately associated, or more completely helpful to each other, than during the strenuous conflict through which we have just passed.

It is of the very first importance that this relationship should continue in the future. The men who toil must not be thrown back upon the old private employment agency of the past for his information of the labor market. That system has proved expensive and irritating in the past, and will be increasingly so in the future. In the State of Utah, where I live, the cost of placing men through these private agencies in the past has averaged $6 per man employed. Since the establishment of this service under the efficient management of the Department of

Labor, the cost of this service has decreased to $1.57 per man employed. Why should a laborer be obliged to pay four times as much from his own pocket for the chance to work, when such employment can be furnished by the Government at the rate quoted?

This bureau was organized hastily and imperfectly during the war, and some mistakes were made. It is now the purpose of Secretary Wilson and Chief Densmore to correct these mistakes and curtail the cost of operation of these local agencies.

Mr. Chairman, I present to the Committee of the Whole a memorial adopted unanimously by the House of Representatives of the Legislature of the State of Utah, and transmitted to me this morning by the Hon. Harden Bennion, secretary of state:

SALT LAKE, UTAH, *February 26, 1919.*

Congressman MILTON H. WELLING,
Washington, D. C.:

Following memorial passed Utah House of Representatives to-day:

"*To the Senate and House of Representatives of the United States in Congress assembled:*

"Your memorialists, the House of Representatives of the State of Utah in legislature assembled, most respectfully petition as follows—that

"Whereas the Government of the United States has for some time past maintained a free United States Employment Service in Salt Lake, State of Utah; and

"Whereas such service has been of inestimable value in aiding our returning soldiers, sailors, marines, and other unemployed persons to obtain employment; and

"Whereas a continuance of such service will materially aid in furnishing employment for the unemployed within the borders of our State; and

"Whereas it has come to the attention of the Legislature of the State of Utah now assembled that there is a probability that the Government of the United States may discontinue the office of the United States Employment Service in the State of Utah: Now, therefore, be it

"*Resolved*, That your memorialists respectfully and earnestly petition the Congress of the United States to continue to maintain the office of the United States Free Employment Service for the State of Utah in behalf and in the interests of the men who have rendered service to their country and other persons seeking employment."

Transmitted by—

HARDEN BENNION,
Secretary of State.

EXTENSION OF REMARKS
OF
HON. ADOLPH J. SABATH,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SABATH. Mr. Speaker, to eliminate as much as possible the many erroneous constructions placed upon the question of Zionism, by some deliberately and by a great many others because of their lack of knowledge of the subject, I take the privilege of printing the Aims of Zionism, as presented and promulgated at a meeting of the leading Zionists of America held in Washington yesterday, with the fervent hope that it will acquaint the American people with the high-minded, humane, and just aspirations of the Zionists.

THE AIMS OF ZIONISM.

DECLARATION PRESENTED AT A MEETING OF ZIONISTS IN WASHINGTON, D. C., MARCH 2, 1919.

To our fellow citizens, to the President, to the national authorities, to the Congress in session, and to the Christian churches at the National Capital—greetings:

The Zionists of the District of Columbia, mindful, as all Americans are, of the blessings of free American institutions, hereby renvow their whole-hearted support of our Constitution, and reaffirm their unqualified loyalty to the ideals which America stands for.

The reestablishment of a Jewish commonwealth, which the peace congress, in session at Versailles, has under consideration will not affect the loyalty of the Jews to the countries of which they are citizens.

We gratefully recognize that under the benign influence of a latter-day civilization the United States and its high-minded allies intend that justice be rendered the people of Israel, after they have been deprived of their home land for over 1,800 years.

Under Jewish national rule the foundations of our present civilization were laid and proclaimed.

The Pilgrim Fathers, when they landed on the bleak New England shores, carried in their hands the Sacred Book conceived and written on Jewish soil.

Modern Christianity long ago recognised in their Savior a son of Juda, born of a Jewish mother, the lowly but supreme expounder of the message "Peace on earth, good will to men," a message subsequently embodied in that sublime motto "With charity for all, with malice toward none," which Abraham Lincoln engraved on his matchless escutcheon.

It is the aim of the Zionists to again add to principles of human conduct by establishing in Palestine a government in which social justice shall reign, where every child shall be well born and where everyone shall be taught the tolerance of a broad humanitarianism, the blessings of education, and the sacredness of peaceful toil.

A Jewish university, which will soon rear its noble walls where the prophets of old pleaded for human rights and justice, will gather under its roof Jewish men of science, establish modern laboratories for research, and keep in touch with scientific progress as it develops in other lands.

Public schools will abound, and with musical modern Hebrew, which will be the language of the land, English or French will be taught to every child, in order to open and keep open to the minds of the future Palestinians whatever shall be wrought by human brains elsewhere, as shall be chronicled in foreign literature.

Farming under modern scientific methods, already flourishing in many scattered Jewish settlements, will again make of Palestine a land "flowing with milk and honey."

Jewish artists will in due time enrich the world with native productions, adding them to the storehouses of beauty and refinement so necessary and so dear to people of culture.

Finally will churches and the State exist peacefully, side by side, precisely as in the United States, in England, in France, and Italy, and we believe that those Jews who will reassemble on the shores of the Jordan and in the shadows of Lebanon, will show themselves worthy of the hope and the confidence which the power of the allies may place in them.

These are the aims of the Zionists, this their program, and for them they would bespeak the interest, the active sympathy, and the good will of mankind.

MEMORIAL ADDRESS
OF
HON. WILLIAM H. KING,
OF UTAH,
IN THE SENATE OF THE UNITED STATES,

Sunday, January 26, 1919.

The Senate had under consideration the following resolutions:

"*Resolved*, That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

"*Resolved*, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public service.

"*Resolved*, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased."

Mr. KING. Mr. President, we pay tribute to-day to the memory of one who was respected and honored not only by the people of his State but by a large circle of friends and acquaintances beyond its borders. My words will come haltingly as I speak of one for whom I entertained not only a profound regard but a deep and genuine affection.

I first met Senator BROUSSARD when we were both Members of the Fifty-fifth Congress. He had won notable political victories in his own State, and by the electorate of his congressional district he was commissioned to serve in a broader field, where his ability and genius and high qualities speedily secured for him a wide acquaintance and a national prominence. Soon after meeting him we became warm friends, and during the four years that I served in the House of Representatives it was my pleasure to be associated with him in a very intimate manner. He continued in the House for a number of terms thereafter and was then chosen by his State for service in this great legislative body. I met him frequently during the years of his service in the House and after he came to this Chamber, and during all of the years of our acquaintanceship my respect and affection for him increased. While we differed in our views upon many subjects, nothing ever occurred to disturb the cordial and deep-seated friendship existing between us.

It is somewhat difficult to describe the characteristics and qualities of this man, who had all of the charm and the chivalry which finds expression in the life and conduct of the true "southern gentleman." There was a courtliness and a frank desire to please and serve others that immediately attracted attention and won the admiration and respect of those with whom he came in contact. He always manifested the keenest interest in the welfare of the weak and the unfortunate. His heart went out in a spontaneous fashion in behalf of those, no matter how humble their situation, whom he believed to be wronged or the victims of any form of oppression or tyranny. Injustice in any form aroused bitter resentment and opposition in his heart. In combating what he regarded as a wrong or as an injustice he was relentless and indeed implacable.

He so loved life in all of its forms and the sunshine and the peace and the joy of friendships that controversies and battles were not voluntarily sought or entered upon, but when the occasion, as he believed, demanded that an issue be made, he met it with unflinching courage and fought to the end, asking and giving no quarter.

Children always attracted him; he loved their smiles and their ways. Their very weakness and need of protection appealed to his nature. I have known him to stop ragged urchins upon the street, attracted by their tears and by their smiles. They realized that he was their friend, and they evinced undisguised

joy and pleasure in all that he said and in their association with him, whether brief or prolonged.

Reference has been made by the distinguished Senator from Louisiana [Mr. RANSDELL] to the love that Senator BROUSSARD had for trees and flowers. Soon after my acquaintance with him I became aware of his passionate regard for the woods, the fields, and the flowers. He would often take me into the country surrounding this city. His happiness seemed to be complete when he was walking through the woods and pointing out the trees and their varieties and characteristics and directing attention to the birds and to the flowers and to the rich treasures which nature spread out to our view.

At times he seemed to be restless in the confinement which his congressional duties compelled. He was impatient to get into the country and to escape from the conventionalities common to urban life. He derived strength, spiritually and intellectually, from contact with nature and from association with wood and field and farm and river and mountain and the varied forms of life therein. Contact with earth, Antæus-like, gave him strength and also gave him deeper sympathy with all things that have life. It has often been remarked that men of the broadest vision, of the deepest sympathy for humanity, and who possess the fullest comprehension of the purposes and mission of life come from the fields and the farms and live in close contact with nature. The thought has often been expressed that those who have glimpsed more truly the future of humanity and the destiny of this Nation came from the soil and found their chiefest joy in the fields and woods and in association with nature's rich creations. I have sometimes thought that those who live near to nature have a schoolmaster that teaches sincerity and leads the faltering footsteps into the paths of truth. It awakens within those who find joy and happiness in the forests and streams and mountains and plains an intense longing for knowledge as to the cause and purposes of life; and it develops a faith, perhaps often blind and indefinable, and produces a conviction that life is an expression of vital and eternal forces, and that back of man is a power, infinite and immeasurable, which seeks man's welfare and development and the triumph of the ethical and spiritual over the dark and sinister forces of materialism which grapple with humanity and seek to drag men into darkness and despair.

It has sometimes been said that the conventional, the artificial, and unreal take deepest root in the cities, where the lines of separation between rank and class are more distinct. However that may be, the great movements which our country has witnessed—movements moral or that made for greater political freedom—have always found the most earnest and devoted advocates in the agricultural and rural sections of the land; and from the fields and farms, from the villages and hamlets, whenever required, there have streamed mighty hosts of free Americans whose hearts responded to the call of country and duty, and whose spirits were attuned to catch the first cries for justice and for the defense of national honor.

Mr. President, Senator BROUSSARD, in his public career, manifested the characteristics which became strongly marked in his youth and were in part the product of his early life. Chivalrous and brave, kind and generous, always ready for service and sacrifice, devoted to what he conceived to be his duty regardless of the consequences—these and other characteristics equally strong and manifest accompanied him in the active and vigorous life which he led.

We often hear it said that a man is brave and courageous; and courage is often spoken of as a common attribute of man. Speaking generally, probably this must be conceded. Nevertheless, when responsibility is placed upon men, and when every act is watched by a thousand eyes and every word and deed subjected not only to examination but often to bitter and unjust criticism and misrepresentation, we find the test for true courage and bravery. Men often shrink from battling against the tide of public opinion. They surrender convictions in the face of violent opposition and bitter criticism. It is natural to desire the esteem and applause of associates. Certainly it brings satisfaction to have the praise of friends as well as those who are within the wider circle in which we move. Senator BROUSSARD was essentially a man who gave friendship and who desired friendship. He had the natural instincts of the buoyant personality. I think the man who possesses the broad view of life desires friends and associates and the maintenance of the most friendly and, indeed, affectionate relations with all who come within the range of his activities. Such a desire is not an evidence of weakness but a manifestation of the truly human, as well as the divine, within us. The cynic and the misanthrope, the person dissatisfied with life and filled with envy and hatred, is not the natural or the normal man. He is something of an excrescence upon the social organism, and too often retards and stifles progress and is a sullen foe of the forces of truth and righteousness. Our departed friend loved the living, vital, pulsing things around him—not only the trees and flowers and the birds and the voices in the field and forest, but he loved humanity and saw in man an unfolding of the purpose of a wise and beneficent Creator. Life was not in his view a failure but a triumph, not a starless midnight but the glorious effulgence of a noonday sun. Man in his view was not made to mourn but to have joy and to achieve and to accomplish. If there are sorrows and pains in man's pathway, there are likewise joy and happiness and compensations. The preponderating forces are for truth and justice, for joy and happiness, for peace and progress, leading humanity from the plain to the mountain top of sunlight and glory.

While he recognized that there was evil and darkness in the world, he believed that the forces of righteousness and truth would dominate and in the end reign supreme.

When confronted with a situation calling for action he did not temporize or compromise. He did not balance the question to determine where the advantage or the disadvantage would lie, so far as his personal welfare was affected. He sought to apply the standard of justice to private as well as to public conduct, believing that there was an immutable moral law by which all human conduct would be judged. He sought to so live that his conscience might be keen to respond to the great moral issues of life. Though, as stated, he was broad and tolerant, and, indeed, sympathetic toward the views of others, he became adamant when he thought that the right was assailed or an injustice to the weak was being done. He was not dogmatic or bigoted with respect to ethical or political issues, although where a moral issue was presented he spoke with great feeling and his nature was aroused until he became a powerful protagonist of the cause which he espoused.

My last long visit or talk with him was on the occasion of the reception given to Marshal Joffre, who came as the representative of France to this Government a few months after our country had entered the war. At the reception I recall the animated conversations that occurred between him and Marshal Joffre and M. Jusserand, the French ambassador. Senator BROUSSARD was a brilliant French scholar, and the distinguished representatives of France were greatly delighted to meet him and converse in the tongue of their beloved land. After the reception was ended, we left the building together and walked for some distance, and then stood for more than an hour talking upon many topics. It was a beautiful night, and he called attention to the stars and to the beauty and glory of the night. He spoke of Joffre and of France and of the heroic struggle which was being made by the French people to defend their nation as well as the cause of civilization. He loved the French people and had unbounded confidence in their genius and greatness. He said that the French people could not be defeated because of the sacredness of the cause for which they were fighting and because they had found their soul and possessed a heroism which was the product of something superhuman.

He was then not well and showed physical indisposition. In some manner our talk took on a religious phase. He manifested no apprehension because of his illness, and indicated that he had no terror at the thought of what we call death, and manifested a profound faith in the immortality of the soul and in the life beyond the grave. Agnosticism was repugnant to him and the materialism of the hour found no abiding place in his heart. Life to him was not an accident. He could not view man as the mere product of blind evolutionary forces. He was not a monist, but a believer in an omnipotent, everlasting Father who guides and directs and holds in His hand the destinies of man and nations.

As I recall his words that night, as well as views expressed by him upon other occasoins, I have no doubt but what there was within his soul that trust and faith so simply and beautifully expressed by Cardinal Newman:

> Lead, kindly Light, amid the encircling gloom,
> Lead Thou me on!
> The night is dark, and I am far from home,
> Lead Thou me on!
> Keep Thou my feet; I do not ask to see
> The distant scene; one step enough for me.

His was a faith that was perhaps not the product of philosophical inquiry and scientific investigation. He believed in God and in His power and mercy without attempting an explanation of the faith and hope within him. He saw in the woods and in the fields and in nature's varied forms of life immortality, not death. The expression of Fouche, carved upon the gates of the cemeteries of France in 1794, that "death is eternal sleep," was abhorrent to him, and he regarded it as

denied and disproven by the manifold forces cognized by finite man. I believe that he was truthful with himself, and that is the form of "veracity" which, as Huxley says, "is the heart of morality." Progress, development, growth—that is the mission and purpose of life and the destiny of man. His faith in the immortality of the soul was such as that, with Paul, he could exclaim, "Oh, grave where is thy victory! Oh, death where is thy sting!"

He had no sympathy with the materialism of the age and the efforts of men to destroy the verities of Christianity by the poisonous philosophy so prevalent in the land. As science reveals the conservation of energy, so he believed in the conservation and the indestructibility of life. Mrs. Browning's words, which portray the attitude of many toward life and its great problems, accorded with the views of our friend who has passed to the life beyond. She says—

> For everywhere
> We're too materialistic—eating clay
> (Like men of the West) instead of Adam's corn
> And Noah's wine; clay by handfuls, clay by lumps,
> Until we're filled up to the throat with clay,
> And grow the grimy color of the ground
> On which we are feeding. Ay, materialist
> The age's name is. God Himself with some
> Is apprehended as the bare result
> Of what His hand materially has made.

One of the greatest scientists and physicists of the age, Sir Oliver Lodge, after years of devotion to the profoundest questions which relate to humanity, affirms the persistence of life beyond the grave and the perpetuity of the living, vital, and intelligent ego within man. As I recall, he regards as demonstrable to the finite mind the proposition that life is eternal, and that man's individuality persists and continues untouched by the passing of the ages and indestructible by the forces controlling and upholding the universe. But, whether it may be demonstrated as a scientific proposition, it may be established that there is an intelligent and omniscient Power creating and guiding all. The history of humanity discloses that the human heart longs for communion with some power higher than that of man's, and seeks for guidance through the shadows of life from a source beyond this terrestrial sphere. And in all the ages from beyond the skies has come that light and spirit and faith that has illumined man's pathway, uplifted his soul, glorified his life, and opened his ears to the Voice that spake the truths for guidance and salvation.

Mr. President, this I feel was the faith of ROBERT F. BROUSSARD. Death did not bring annihilation. Buddhism, with its Nirvâna, which seeks through the door of life death and extinction, was a creed to him repellent. What a contrast there is between it and the Christian faith which teaches that through the shadow of the grave there comes life, everlasting, eternal life!

And so, Mr. President, our friend is not dead; he lives and in a wider sphere seeks growth and development and service and achievement. His life was rich in service, and his labors enriched his State and the Nation and added to the great reservoir of humanity's achievements. A strong, brave, chivalrous man has gone from our midst. His memory we will cherish in our hearts; his labors will live after him.

EXTENSION OF REMARKS

OF

HON. DENVER S. CHURCH,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CHURCH. Mr. Speaker, Sequoyah, the great Cherokee Indian philosopher, was born as nearly as is known in the year 1770. He died near San Fernandino, northern New Mexico, in 1842. Sequoyah was a man of genius and exercised his gifts in numerous ways. He was a silversmith, blacksmith, and artist. His crowning achievement was the invention of the Cherokee alphabet.

This alphabet was the first thing of its kind among his people. It was a great success, and by it the Indians learned to write and read with but little trouble. It was employed by the missionaries and afterwards, in part, used in printing a newspaper called the Phoenix, the first newspaper ever printed in the American and Cherokee languages.

This alphabet brought hope to a dark and benighted land. When the names of the great Indian warriors are no longer remembered, and the strange, sweet stories of "Pisa," "The Enchanted Mountain," and "The Daughters of the Sun," together with other romances and Indian traditions are no longer told, the name of their old teacher, Sequoyah, will still stand forth as the conspicuous figure in Indian history.

Many men of birth, ambition, and opportunity have arisen in the past and performed valuable services for humanity, but Sequoyah was an Indian, born in a tent before the Revolutionary War, his mother a full-blood Cherokee. He was born in a land without a church, a schoolhouse, or civilization, yet he caused a light in the forest which enabled his people to catch glimpses of a different landscape and the outlines of a far-away horizon. Sequoyah's birth brought to his people the sunrise of their first day of civilization.

I am pleased to state that his worth was recognized during his lifetime by the Indians. Civilization, you know, has been in the habit of executing its chief benefactors. He was sent to Washington as a representative of the Cherokee West in 1828, and before this, in 1823, for the invention of the Cherokee alphabet he had been given by the Cherokee General Council a silver medal. His services were also recognized by Congress and an appropriation was made upon his representation. Money was furnished by the Government of the United States for the establishment of a printing plant, where the first newspaper ever printed in any Indian language was printed in Georgia, February 21, 1828.

In 1911 the State Legislature of Oklahoma authorized the placing of a statue of Sequoyah in Statuary Hall, here in the Capitol of the United States, he being chosen as one of the distinguished citizens of Oklahoma. This statue stands here today as the monument of love and affection of the two and one-half million people of the State of Oklahoma. One of the counties of Oklahoma is also named for him, and the place in the county where he once lived is regarded almost as holy ground. Societies and leagues for the benefit of the Indians throughout the country, in some instances, bear his name.

Science has also honored the old Indian teacher by naming the great redwoods of California for him, calling them Sequoia. But more pleasing than all this is the fact that the Government of the United States has also honored his name.

Over in my district in California, on the western slope of the Sierras, at an elevation of 6,500 feet, stands the greatest grove of Sequoia trees that can be found in the world. In this grove upwards of 12,000 of these ancient wonders toss their defiant branches to the sky. In 1890 the Government of the United States dedicated the 250 square miles on which these trees are found to a national park and, in honor of the old Cherokee philosopher and child of the forest, it was given the appropriate name of the Sequoia National Park.

If old Sequoyah could come back, riding his favorite horse, from beyond the Milky Way, down the wide road of the Indian dead, and halt on a wooded ridgeway opposite this great park empire—wild, rugged, picturesque as it is, and containing about one-half of all the Sequoia gigantea trees of the world—his old Indian heart would throb with joy and his bosom swell with pride as he beheld the matchless landscape that bears his name. The grandeur of the old red hills of Georgia, the land of his childhood, and the charming landscapes of Oklahoma and New Mexico would be far outclassed by a view of this great park. He would find it far more wonderful than his own early description of the enchanted island of "Okefinokee."

The word "Sequoyah" in Cherokee means "he guessed it." There is no other place on earth where one is filled with so much wonder as when strolling among these great trees. There is no way of solving their mystery except through a guess. They are found nowhere on earth except in this park, and within 200 miles of its boundary. They are acknowledged to be the oldest living things on earth. They are regarded by scientists as the scanty and sole survivors, with but slight variation, of an ancient order of forest trees which flourished extensively during the Cretaceous and Tertiary periods of the earth's life, contemporaneous with such huge animals as the dinotherium, megatherium, mammoth, and monster reptiles long since extinct. The average height of the Sequoia gigantea is about 275 feet, but some have been found to be as high as 325 feet. Their average diameter is about 20 feet, though in nearly every grove some are found with more than 30 feet diameter. Six-horse stagecoaches, with 15 or 20 passengers, have often been driven for a hundred feet or more upon the prostrate bodies of these fallen giants. In several trees ancient fires have burned a passageway through the great trunk, and wagon roads are constructed so tourists can drive through the very heart of the standing tree.

The largest tree in the Sequoia Park is the General Sherman. It has a base circumference of 102 feet at the ground. An

authority has said that this tree would furnish two-rail fencing from 20 to 30 miles, or produce lumber enough to make one telegraph pole 40 miles in length, or supply a line of poles from Kansas City to Chicago.

Mr. Speaker, I believe these big trees are the most wonderful objects on earth. On viewing them one is filled with reverence and wonder. There they stand without kith or kin, survivors of another age from which all but they are gone. If they could speak what strange stories they would tell. They would give a history not written on tablets nor in books, but on circles, strata, petrification, and banks of ancient shells. They would give the mystery of the Golden Gate. But they can not speak. Oh, yes, they can; they speak in silvery tones to all who pass their way. In days gone by they have whispered and talked to me. When as a shoeless child I tried to climb their rough and rugged trunks, they spoke to me. And in after years when I camped alone amid their groves and heard the forest winds and saw the shadows change as the great moon drifted overhead, they spoke to me. And in wintertime far back in Sierras heights, when the snow was deep and fond memories constrained me to visit my ancient friends, I found them standing as they had stood through the ages, and there in solitude, clad in overcoats of snow, these sullen, sulky giants spoke to me. They taught me to love my fellow man. They taught me to be broad, generous, and true, too big to do a willful wrong.

Mr. Speaker, as the alphabet invented by the namesake of the great trees of California brought new hope and new destiny to the Cherokee, so all who visit the great Sequoia trees of California learn lessons and receive impressions that remain with them through life.

Gentlemen, there has been a bill prepared by the Park Service, that is now pending in this House, asking that the name of the Sequoia National Park be changed to the Roosevelt National Park, and that there be added to the 250 square miles that now constitute the park 1,350 square miles of territory. How anyone could possibly find it in his heart to want to rob old Sequoyah, the greatest North American Indian of all times, of the honor of having one of our national parks bear his name is past my comprehension. I am sure that the great Roosevelt would not have sanctioned it for a moment. Strange enough, the move comes from the Department of the Interior, which is the legal custodian of the Indians' property and rights. I have no fear that Congress will ever pass this bill. If it did, it would be an insult to every Indian and the friend of every Indian in this country. Col. Roosevelt during his lifetime never set his foot in the Sequoia National Park, and I am sure his memory can be properly honored if his name is connected with the Panama Canal or some other work that he aided by his great influence.

Is it possible after having driven the Indians from their ancient haunts and hunting grounds that we are not generous enough to permit a small portion of their ancient domain to bear the name of their chief benefactor? Having about exterminated the Indian, do we now propose to blot out his name forever? No; the American people will never permit the name of Sequoyah, the old Indian philosopher, to be blotted from the memory of man.

Mr. Speaker, the bill under consideration was passed by the Senate. That body changed the name of the Sequoia National Park to the Roosevelt National Park and added to the 250 square miles that now constitute the park 1,350 additional square miles, making in all under the Senate bill a vast domain of 1,600 square miles.

The Public Lands Committee of the House amended the Senate bill by cutting out the added territory of 1,350 square miles, but left the name changed as it was when it came from the Senate.

The object of the Park Service in pressing this amended bill to passage is for the purpose of getting it into conference, where it is hoped by the service that the 1,350 square miles of territory eliminated by the Public Lands Committee of the House, or at least a large portion of it, will be restored in the bill.

Gentlemen, I want to call your attention to the fact that we now have more land embraced in our national parks than can be improved by the use of the money which is received through appropriations from year to year. Every year the estimates submitted by the Park Service are tremendously cut down by the Appropriations Committee.

As a matter of fact we have already too many, or at least enough, national parks. We have 18 that I can recall and 21 national monuments under the jurisdiction of the park service, a domain of more than 10,000 square miles, an acreage greater than the combined territory constituting the States of Connecticut and Rhode Island. If Uncle Sam keeps on, his playgrounds will be larger than the rest of his farm.

When we have not enough money with which to improve existing parks what is the use of creating more?

At this time when the American people are groaning beneath their burden of taxation, why spend our time in creating new parks which call for the annual expenditure of large sums of money to maintain them?

Mr. Speaker, one branch of the Department of the Interior is now asking for a tremendous appropriation for the purpose of starting new irrigation projects so that the returning soldier will have room on which to build himself a home, a most commendable enterprise, while another branch of the same department, the National Park Service, is asking to extend its domain over 1,350 square miles of mother earth and thus prevent the possibility of thousands of summer homes from being established. There is no better place on earth for summer homes than on this land which they seek to condemn.

On this 1,350 square miles it has been estimated by the Department of Agriculture that 2,000,000,000 feet of timber is now growing. Under the present administration of this land by the Forestry Department this timber is rapidly being converted into lumber and thus being made to contribute to the comforts and necessities of life. If this proposed park extension is made, this timber will be dedicated to perpetual waste and decay. They do not sell timber in our National Parks.

On this vast section of land under consideration, which amounts to 864,000 acres, 7,000 head of cattle graze and fatten during the summer months, and 30,000 head of sheep find there their summer range. The Park Service does not permit cattle to graze in our western parks except during war times and times of great distress. Sheep are never permitted in our parks. Durings the six years that I have been a Member of Congress I have almost worn out a typewriting machine asking that starving cattle, pinched by cold and stunned by drought, be permitted to pick up the feed that was wasting in the adjacent park. My supplications were generally without avail.

If the Park Service has its way in reference to this extension, the meat consumers of this country at this time of food and meat scarcity will be deprived of the annual increase of 7,000 head of cattle and 30,000 head of sheep.

You ask why this stock can not go to some other range? My answer is, There is no other range. All the ranges outside of the national parks are occupied by other stockmen. If they undertake to move their herds toward the north they will find themselves intruders on the General Grant National Park. If they go north of that park they will find their stock taken into custody by the keeper of the 1,125 square miles which constitute the Yosemite National Park. If they go still farther north in California they will find themselves in the Lassen Volcanic National Park, and if in despair they finally conclude to seek a place of refuge from the national parks of California and go into southern Oregon they will find their stock are feeding within the boundaries of the 250 square miles constituting the Crater Lake National Park. In this day of meat conservation the cattle and sheep industry in the United States is being, in a measure, strangled by the creation of national parks.

As a matter of fact, we do not need any more national parks or any more park extensions. We have more parks now than 1 in 10,000 of the people of this country have ever yet seen. The park authorities here in Washington have, in my opinion, more parks under their control than even they have ever thoroughly explored. I am somewhat of a mountaineer myself, and I state as my best judgment that there are at least 1,500 square miles in the Yellowstone, 500 square miles in the Yosemite, 500 in the Glacier, 200 in the Rocky Mountain, and at least 150 square miles in the Sequoia National Park as it now exists that the present park director has never set his foot upon. I predict if this bill goes through the House and gets into conference and this 1,350 square miles of territory which has been eliminated by the Public Lands Committee of the House is rewritten in the bill, and that it finally in that form becomes a law, that there will be at least 500 square miles of this added territory that Mr. Mather will never during his lifetime be close enough to see except through a spyglass. I do not say this because I would have you believe that the Director of the National Park Service is not capable and active, for he is, but I say it to impress upon you the fact that we have now more national playgrounds than we have time to enjoy or explore.

Even the Yellowstone National Park, next to the oldest one of our parks, with its 3,300 square miles of territory, has only been visited by a small per cent of our people. Have you ever explored it—this great wonderland, containing more geysers than there are outside of it in all the world, with its boiling springs, mud geysers, and petrified forests, with its lakes, ca-

yons, and wonderful waterfalls? It has almost an unexplored wilderness where roam deer, elk, mountain sheep, bear, panther, and all the other animals that live in the great forest; besides this there are countless birds of rare plumage and sweet song that enchant and charm the woods.

And then there is Glacier Park in Montana, near by, with its 1,534 square miles of territory, most of which the tourist has not yet set his foot upon. It is a rugged mountainous region of Alpine beauty unsurpassed. It has 250 lakes, blue and deep, that are fed by glaciers. Besides this, 60 small glaciers add to the interest of this wonderful land. Peaks, canyons thousands of feet in depth, and mountain ranges add to the wonder of the landscape. Why not build trails and more roads and really open up this wonderland? The people have not seen it.

And the Rocky Mountain Park, in the heart of the Rockies, out yonder on the border of the West. It is close at hand. It has 400 square miles within its boundaries and mountain ranges and peaks from 11,000 to 14,200 feet in height.

And the Yosemite National Park, which contains 1,125 square miles of scenic wonder, its boundary but 40 short miles from the boundary of the extension proposed. In this park there is room for the recreation and amusement of the tourists of the world.

I might go on and mention the other national parks, but they are too numerous to mention. There are two national parks in my district, and all this vast domain proposed to be added is also located there. My district is also bounded on the north by the Yosemite.

Mr. Speaker, in conclusion let me say I am opposed to both the change of the name of the park and also to the extension. To change its name is neither necessary nor fair; not necessary because there are many other ways of honoring the name of the deceased ex-President, and it is not fair to either one of the men who have passed away that the name should be changed.

Probably this country has never produced two more brave men than Theodore Roosevelt and old Sequoyah. They were firm, steadfast, unyielding, and brave. They were iron men of America. Either of them would fight for what he thought was right and what was his own. But both were too proud and honorable to even accept that which belonged to another. If Roosevelt were alive his voice would roar across the continent denouncing the thought that he would usurp the glory belonging to the old Indian. Were he alive the proposers of this change, in my opinion, would hardly be safe.

Sequoyah won his honors in a death grapple with conditions that were all against him. Naked and half starved, with bow and arrow he fought his way up and out of the wilderness. Cold, starvation, and privation were his only companions during the first 50 years of his life. To take away the honors achieved in such a struggle would be worse than to have stolen the wolf-skin, his only bed in childhood, or the roots and meal from the bottom of the bin in the wigwam of his mother.

No friend of Theodore Roosevelt should press this bill, and all lovers of a square deal should assist in defeating it.

The extension proposed is as unnecessary as the change in name is inhuman. It will cause too many heartaches and bring no happiness in return, except to those who are eager to enlarge their power. The home builders of the country will suffer because it will prevent in time 2,000,000,000 feet of lumber from being placed upon the market. The cattle and sheep men who rely on this pasture will have to sell their flocks and herds and homes and go down out of the mountains. I love these sturdy mountaineers, and I hate to see them go. I know their trials, hopes, and fears, and for this reason I am opposed to the bill.

If this 1,350 miles of proposed extension is really added to the park it will act as a bar, and will keep people out of the section instead of encouraging them to enter it. The territory involved is now under the liberal administration of the Forestry Department, and there is every inducement for campers and tourists to enter it. There is free grazing, free hunting, free fishing, free camping, and no restrictions except to keep down forest fires. If it goes under the national park administration, it will be bombarded with petty rules. The trees will be heavily laden with signs telling people when to camp and where, and when to move and how. There is a different atmosphere in the parks from that in the forest reserves. In the forest reserves one feels at home, but in the national parks he feels like an intruder; like he was under deep and lasting obligations to the superintendent of the park for his visit.

Let me call your attention also to the fact that the territory under consideration is a great hunting ground. People from all parts of the country go to that region to hunt deer and bear, that are numerous in those mountains. All this will be done away, for guns are not permitted to be fired in our national parks. A person would be as much out of place in that section without a gun as one of the House reporters would be here without pen or pencil. People want firearms when they go camping, and a camp without firearms is like a knife without a blade. Campers will not go where they can not take guns.

The fact that hunting would not be permitted if this proposed extension were made would keep more people out of the territory than all the advertising of the park service would bring into it.

Mr. Speaker, I sincerely trust this bill will not become law.

Soldiers' Land Bill.

EXTENSION OF REMARKS

OF

HON. WILLIAM W. HASTINGS,

OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. HASTINGS. Mr. Speaker, everyone is proud of the record our gallant soldiers made in the war with Germany. We were forced into the war, but we knew in advance that the brave sons of America would uphold the historic traditions of our beloved country. They fought for the ideals of our country, in defense of our flag, for humanity, and for the liberty of the world.

Had we not entered the war Germany would perhaps have conquered Europe, triumphed over Great Britain, and in the end endangered the independence of our country.

Celebrations will be held throughout every county in the United States and in the large cities and towns commemorating the signing of the armistice. They will also be held upon the anniversary dates of the principal battles in which our brave boys were engaged. We can not honor them too highly, and it is not only a pleasure but a privilege to join with our other fellow citizens in these celebrations. However, this is not enough. We should do something more for the men who left their homes and loved ones and entered the Army and Navy, willing to make every sacrifice to defend the honor and glory of their country. The Congress did much in advance for those who went forth to defend us. Additional compensation was provided and provision was made for allotments, both from the soldiers' compensation and from the Federal Treasury, to be paid their loved ones dependent upon them. We provided compensation in lieu of a pension for those who suffered disability in the service, graduated in amount according to disability. We made it possible for the soldier and the sailor to take out insurance on a peace basis to the amount of $10,000 each. We provided for vocational training for the returned disabled soldier who is unable to follow his old trade. We made liberal appropriations for food, clothing, and equipment. We appropriated every dollar requested by the War and Navy Departments for military equipment and supplies of all kinds. We all rejoice that the war is over, and in these days of reconstruction many plans are proposed for aiding these discharged men. It is my earnest hope to be of some practical, substantial assistance to them. With that end in view, I have prepared and introduced a short amendment to the farm-loan act (H. R. 16213), which, in my judgment, is practical and will be of much help to them. I invite the earnest consideration of Congress to it.

The bill proposed by me amends two sections of the Federal farm-loan act approved July 17, 1916.

Paragraph 5, section 12, of this act only permits loans to be made to the amount of 50 per cent of the value of the land and 20 per cent of the value of the permanent, insured improvements. These loans are made through local associations. The bill introduced by me provides that loans may be made to honorably discharged soldiers, sailors, and marines to the amount of 100 per cent of the appraised value of the land and the permanent, insured improvements thereon; but it divides the amount borrowed into a first and a second loan. The first loan is for 50 per cent of the appraised value of the land and 20 per cent of the appraised value of the permanent, insured improvements and is made in all respects the same as to any other borrower. The second loan that I propose would be up to and not in excess of 100 per cent in the aggregate of the appraised value of the land and the permanent, insured improvements. This second

loan is secured by a second mortgage on the land and improvements and is also secured by an assignment of the insurance of the borrower, taken from the Government under the war-risk insurance act and acts amendatory thereof.

Now, as to the first loans, the notes and mortgages are used by the farm loan banks for the security of the bonds issued, the same as notes and mortgages of other borrowers, but the Government issues its own bonds to supply the money for the second loans secured by the second mortgages and insurance. These bonds shall be denominated "soldiers' bonds." By this plan the Government is insured against loss and the honorably discharged soldier, sailor, or marine wishing to own a farm gets cheap money. He is permitted to borrow it from 5 to 40 years, payable upon the amortization plan, just as other borrowers under the Federal farm loan act.

In addition, this bill proposes to amend section 15 and permit farm land banks, with the approval of the Federal Farm Loan Board, to appoint agents all over the country, through whom applications for loans would be transmitted to the farm land banks. This would not necessitate the discharged soldiers, sailors, and marines joining local farm loan associations. The plan does not amend the Federal farm loan act in any other particular, but leaves it in full force and effect. I want to briefly call attention to the advantages contained in this bill.

In the first place, it will enable honorably discharged soldiers, sailors, and marines to borrow money for a long time at a low rate of interest, payable in installments, sufficient in amount to purchase and improve a home. It would permit them to borrow not only 50 per cent of the value of the land and 20 per cent of the value of the improvements, as provided in the farm loan act, but it would permit them to borrow the full value. It would permit them to look up their own farms, initiate their own transactions, and buy in any locality in any county or State in which they reside or desire to live.

In the second place, it would not require any additional administrative force to carry the act into effect, but the same would be administered by the farm-loan banks and their employees. This would avoid any delays in the act going into practical operation and would insure immediate results. Therefore there would be no additional overhead expense. The first loans will be treated exactly as any other loans. The money to make them will be obtained by the sale of farm-land bonds.

The bill proposed by me provides that the Government shall sell its own bonds to the amount of the second loans and the money derived from the sale of these bonds is to be loaned through the farm-land banks to honorably discharged soldiers, sailors, and marines. These Government bonds, denominated "soldiers' bonds," are to be nontaxable, just as far as farm-land bank bonds are nontaxable. They are to be sold at not to pay a higher interest rate than 4½ per cent and not below par. The second loan is to be made at the same rate as the first loan and upon the same terms and conditions. This means, of course, that these loans are to be made from 5 to 40 years, payable upon the installment plan, the same as the first loan, but the notes and mortgages for the second loans are not to be used as security for the farm-loan bonds issued, but the proceeds are to be used in the payment of Government bonds.

It will be seen, therefore, that the bill proposed by me will not depreciate the farm-loan bonds, but that the money is loaned direct from the Government on the second-loan notes and mortgages and the soldier's insurance, through the farm-land banks. This will not necessitate another examination of the title or an additional appraisement of the land. In fact, no additional work will be required, because the loan will be made at the same time at which the first loan is made.

The Government will be adequately secured, because, in addition to the second mortgage given to secure the second loan, the soldier, sailor, or marine is required to assign the insurance that he has in force, taken out from the Government through the war-risk insurance act and acts amendatory thereof. In other words, as additional security, the Government has assigned to it its own insurance.

As the notes secured by the second loans are paid, the proceeds, both principal and interest, are to be applied to the payment and the retirement of the bonds issued and sold by the Government to secure money with which to make these loans. It will be seen that the Government is secured in every respect against loss. These amendments will provide substantial assistance to the men who made large sacrifices and were willing to endure everything in defense of our flag and country.

The returning soldier, appreciative of the merited recognition of a grateful Republic, will take possession of the land purchased for a home, repair, add to, and erect new improvements thereon, as well as clear up and reduce it to a state of cultivation. All this will add greatly to the value of the land. Good agricultural land in my State in the last five years has increased from 50 to 75 per cent in value. Much of it has doubled in value. This is doubtless true of farm land throughout the whole Nation. Every industrious home owner beautifies his home and enhances the value of his land. As the land increases in value and as the loan is reduced by amortized payments, the second mortgage held to pay the Government bonds will become better security.

In addition, the amendment to section 15 provides that a local agent may be appointed through whom these applications may be made for loans, so that the honorably discharged soldiers, sailors, and marines will not have to become members of local farm loan associations. This would insure immediate consideration of the applications and expedite action upon them in every way.

When the original farm loan act was under consideration by the Banking and Currency Committee I was a member of that committee. In the committee and on the floor of the House I criticized the provision requiring that prospective borrowers become members of local farm loan associations before being able to secure loans. I tried to have the same amended when the bill was under consideration in the House. I called attention to the fact then that the organization of local farm loan associations would cause vexatious delays and would have the effect of defeating the purposes of the act. A man can not wait 90 days or longer for the formation of a local association through which to apply for a loan, after he purchases a farm. He must know with reasonable certainty immediately, or not later than a week or 10 days. If this amendment is adopted, local associations will not be necessary, but agents would be appointed throughout the country, and applications may be made and forwarded through them to the farm land banks. These agents in a short time will become so proficient that they will see that all the papers necessary to accompany an application are made in due and proper form, and that the abstract accompanying the same is completed, thus avoiding many interminable delays. There is no reason why an application should not receive favorable action within 10 days at most. This amendment should apply to all borrowers, including soldiers, sailors, and marines.

Every other plan that I have heard suggested involves the creation of new bureaus, with a vast army of employees, involving too much overhead expense.

The plan presented in this bill does not involve any additional expense, but uses the machinery of the farm land banks to come to the aid of the defenders of our country. Instead of spending money upon employees, I want to give the benefits to the man who made sacrifices that liberty should not perish throughout the world.

I can not too strongly emphasize the fact that this plan provides money for soldiers, sailors, and marines to purchase land in the locality of their choice and allows them to exercise some judgment in the selection of it. It does not necessitate their leaving the community where their friends and loved ones reside in order to secure a home.

I want also to emphasize the fact that this plan provides cheap money to them. The money can be borrowed from 5 to 40 years upon the amortization plan, providing for the payment of 1 per cent additional annually or one-half per cent semiannually as a payment upon the principal on long-time loans. The returning soldiers of our country are only asking a fair chance, and this plan gives it to them. It enables everyone who desires a tract of farm land to purchase it for a home.

In the long run the Government will not be out anything. The bonds issued by the Government will be repaid out of the collections, principal and interest, of the second mortgages, and, as additional security for these second loans, the insurance which the soldiers, sailors, and marines have taken out from the Government is assigned. Certainly the Government's own insurance is good security. This insurance must be kept alive and in full force and effect, and this of itself will be helpful in inducing them to keep the insurance in force. In the event of a man's death his wife or other dependents can pay off the loan upon the farm with the insurance and have a home.

In addition to the general legislation enacted for the benefit of men in the service during this war, we have given them a small additional sum to tide them over their period of unemployment. This bill will prove of substantial and lasting benefit to them. It affords the men opportunity to get cheap money, is an inducement to purchase homes, gives them employment, encourages thrift and economy, and will prove of permanent benefit to them. It will aid in the development of our country and show that this Republic is not ungrateful to the men who were willing to sacrifice all in order that liberty might live.

I voted for the declaration of war against Germany. There was no other course to pursue. I voted for all the legislation recommended as necessary and the appropriations asked, in order that we might triumph over German military force. From the date of the passage of the resolution in April, 1917, until the armistice was signed and proclaimed on November 11, 1918, I felt keenly the responsibility laid upon the representatives of the people of this country. I now feel as keenly the necessity for proper and just recognition of the services of the men who were ready and willing to carry the Stars and Stripes to victory. Their services were invaluable.

The bill is as follows:

Be it enacted, etc., That the fifth paragraph of section 12 of the act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," approved July 17, 1916, shall be amended so as to read as follows:

"Fifth. No such loan shall exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon, said value to be ascertained by appraisal, as provided in section 10 of this act: *Provided*, That loans may be made as hereinafter provided, to honorably discharged soldiers, sailors, and marines who served in the war with Germany, to an amount equaling 100 per cent of the value of the land and permanent, insured improvements thereon: *Provided further*, That the loans shall be divided so that a first mortgage shall be taken upon the land and the improvements in each case to secure the note for a first loan in an amount not to exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon, which notes for said amounts may be used by the farm-loan banks as security for the farm-loan bonds, the same as notes made by other borrowers, and a second mortgage shall be taken upon the land and the permanent, insured improvements thereon to secure a second loan evidenced by a note for the remainder of the loan in each case, in an amount in the aggregate not to exceed 100 per cent of the value of the land and the permanent, insured improvements thereon, which said second mortgages shall be held by the farm-land bank of the district in which the land and improvements so mortgaged are located, and collections shall be made on them, both as to principal and interest, the same as notes secured by first mortgages; and the United States shall issue its bonds, which shall be denominated 'soldiers' bonds,' to such an amount as may be necessary to make the proceeds equal the amount of the second mortgages, which said bonds shall be nontaxable and bear interest at a rate not to exceed 4½ per cent and be sold for not less than par value, and the money shall be loaned to said honorably discharged soldiers, sailors, and marines at the same rate as paid upon the notes secured by the first mortgages, and the proceeds derived from the payment of the notes secured by the second mortgages shall, when collected, be used for the payment and retirement of the Government bonds herein authorized to be issued: *Provided, however*, That said second loan shall be made only to those honorably discharged soldiers, sailors, and marines who carry life insurance under the war-risk insurance act approved October 6, 1917, and acts amendatory thereof, in full force and effect, which shall be assigned and held as additional security for said second loan.

"In making said appraisal the value of the land for agricultural purposes shall be the basis of appraisal and the earning power of said land shall be a principal factor.

"A reappraisal may be permitted at any time in the discretion of the Federal land bank, and such additional loan may be granted as such reappraisal will warrant under the provisions of this paragraph. Whenever the amount of the loan applied for exceeds the amount that may be loaned under the appraisal as herein limited, such loan may be granted to the amount permitted under the terms of this paragraph without requiring a new application or appraisal."

SEC. 2. That section 15 of said act shall be amended by adding at the end of said section the following paragraph:

"Each farm-land bank in its respective district is authorized to make loans to honorably discharged soldiers, sailors, and marines on farm lands through agents appointed by it and approved by the Federal Farm Loan Board, which agents may be other than duly incorporated banks, trust companies, mortgage companies, or savings institutions chartered by the State in which they have their principal office."

River and Harbor Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. CALEB POWERS,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. POWERS. Mr. Speaker, the river and harbor bill recently passed by both House and Senate and signed by the President and which is now a law carries a provision of much interest and great importance to the whole State of Kentucky, and especially that portion of Kentucky which lies in the congressional district I have the honor to represent. I refer to that provision which indorses the expenditure of four and one-half million dollars for the complete canalization of the upper Cumberland River from Burnside, Ky., to Nashville, Tenn., and which makes immediately available for that purpose the sum of $340,000, a part of which sum will be used in purchasing all the lock and dam sites in Kentucky and Tennessee.

When these sites are selected and locks and dams built thereon, it will complete the canalization of the entire upper Cumberland from Nashville to Burnside. There are now seven locks and dams in the Cumberland River, in the State of Tennessee, above Nashville, and a site already selected for the eighth lock and dam. On the Kentucky side we have but one lock and dam, namely, Lock and Dam 21, 30 miles below Burnside, Ky. The sites for all the new locks and dams on the Kentucky side will have to be selected and paid for.

Away back in 1882 Congress made provision for a survey of the upper Cumberland River to determine the feasibility and cost of improving it from Nashville, Tenn., to Burnside, Ky. The report of this survey also included the improvement of the Cumberland River to Smith Shoals above Burnside, Ky. The entire project, as later revised, provided for the construction of 28 locks and dams, also a minimum depth of 6 feet in the river for the entire distance from Nashville, Tenn., to the proposed head of navigation, a distance of 357 miles. This was approved by Congress, and work on this project was commenced in 1888 and was continued at intervals up to February 26, 1906, when the Board of Engineers for Rivers and Harbors recommended that the work on the locks and dams already begun should be completed and that the rest of the project should be discontinued.

Locks 1 and 2, on the Tennessee side, had at that time been completed, while Lock 21, on the Kentucky side, and Locks 3, 4, 5, 6, and 7, on the Tennessee side, were under construction. Since February 26, 1906, Lock 21, on the Kentucky side, and Locks 3, 4, 5, 6, and 7, on the Tennessee side, have been completed, but it must be remembered that on February 26, 1906, the Board of Engineers for Rivers and Harbors said that they would not recommend any more money for any further improvement on the upper Cumberland River, either on the Kentucky or the Tennessee side, except to complete the locks and dams already begun.

This report of the Board of Engineers for Rivers and Harbors, made on February 26, 1906, put the upper Cumberland River "on the bum," so to speak, and not a single cent of money has been expended since that day, except on Lock 21, for the buying of a single site for any other lock and dam in the Cumberland River on the Kentucky side, nor the appropriation of a single cent for the construction of one.

It has been the policy of the Government to begin at the mouth of the river and build locks and dams from the mouth up, and not from the head down. This accounts for the fact that, while the Government in 1882 decided upon the policy of improving and canalizing the entire upper Cumberland and adhered steadfastly to that policy for a quarter of a century, no Member of Congress from the eleventh congressional district of Kentucky was able to get any money appropriated to begin building locks and dams at the upper end of the river below Burnside, Ky.; and this, too, notwithstanding the fact that the eleventh congressional district during all this time was represented by a Republican Representative, and notwithstanding the further fact that during the last 16 years of this period, or down to March 4, 1911, the Republican Party was in power in the Nation, with Republican Presidents in the White House, supported by Republican Congresses.

During the Republican rule Democratic Members of Congress from the State of Tennessee had gotten from Republican Congresses appropriations sufficient to build and construct Locks and Dams 1, 2, 3, 4, 5, 6, and 7 in the Cumberland River above Nashville, Tenn. These appropriations, all told, will amount, in round numbers, to $3,000,000. Republican Members of Congress from the eleventh congressional district were just as able men as those from the State of Tennessee and just as faithful to their trusts; but they were unable to induce the Government to break its precedent and policy of improving its navigable rivers from the mouth up and not from the head down, and it remained for Dr. W. Godfrey Hunter to break this precedent, who secured the first appropriation for Lock 21.

WHAT HAD TO BE DONE TO SECURE APPROPRIATIONS.

It is an impossible task to get Congress to make an appropriation to build a lock and dam in any stream unless the Board of Engineers for Rivers and Harbors and the Chief of Engineers of the Army recommend such construction. On February 26, 1906, they said in a report that the commerce in the upper Cumberland was not sufficient to justify the Government in expending more money in constructing locks and dams in the upper Cumberland on the Kentucky side except to complete Lock and Dam 21, as I have heretofore pointed out. This report of February 26, 1906, was made during the first year of Congressman Edwards's first term in Congress, and during the remaining five years he was a Member of the House he was unable to get the

Government to reverse itself. He was unable to get any money appropriated to start any new locks and dams in the upper Cumberland, although he worked hard and faithfully to that end. It was a difficult thing to do.

When I became a Member of Congress on March 4, 1911, I found the upper Cumberland still under the ban, the Government refusing to start any new locks and dams there. All those conversant with the situation and interested in the canalization of the upper Cumberland knew that we never would get Congress to appropriate any more money for the purpose unless we could get a favorable report from the Board of Engineers for Rivers and Harbors to that effect. Realizing our dilemma, those interested in the improvement of the upper Cumberland set to work to see if they could get the Board of Engineers for Rivers and Harbors to reverse itself and report favorably instead of adversely upon the further canalization of the upper Cumberland. The first logical step in this matter was the introduction of a resolution before the Rivers and Harbors Committee of the House of Representatives, and accordingly the following resolution was introduced before and passed by that body:

Resolved by the Committee on Rivers and Harbors of the House of Representatives of the United States, That the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act, approved June 13, 1902, be requested to reconsider its previous reports on Cumberland River above Nashville, Tenn., and to make a further report with recommendation as to the desirability at the present time of constructing one or more locks and dams above Lock No. 7.

On December 5, 1912, the said board granted a hearing here in Washington to those interested in the canalization of the upper Cumberland, and Congressman CORDELL HULL, who represents the Tennessee district on the Cumberland River just south of the Kentucky boundary line, myself, and others appeared before that board and made arguments for the complete canalization of the upper Cumberland from Burnside, Ky., to Nashville, Tenn. We urged that the commerce in the upper Cumberland and the isolation of our people from railroads and the lack of transportation facilities fully justified the Government in spending the money to improve and canalize this stream. We asked for a new survey of the upper Cumberland.

The board granted our request and instructed the local engineer, Maj. Burgess, who is stationed at Nashville, Tenn., to make a complete survey of the upper Cumberland from Burnside, Ky., to Nashville, Tenn., which he did, making his report on December 30, 1913. Maj. Burgess made a most thorough and exhaustive examination of the advisability of a complete canalization of the Cumberland River between those two points and reported favorably on that project. He estimated that it would cost the Government $4,500,000 to complete the canalization of the upper Cumberland from Burnside, Ky., to Nashville, Tenn.; that four new sites for locks and dams would have to be secured on the Tennessee side and six or eight on the Kentucky side, and that to purchase these sites and construct the necessary locks and dams would cost about $4,500,000, and that it ought to be done at the expense of the Government.

The division engineer differed from Maj. Burgess, the local engineer, in this: The division engineer recommended that the canalization of the upper Cumberland ought not to be undertaken by the Federal Government unless the State of Kentucky and the State of Tennessee would undertake to pay half of the expense of it, or, in other words, $2,225,000. Those interested in the canalization of the upper Cumberland knew that the States of Kentucky and Tennessee would never do this, and the Board of Engineers for Rivers and Harbors on January 28, 1914, kindly granted us a hearing on this proposition. A pretty complete delegation of Senators and Members of Congress, both from the States of Tennessee and Kentucky, appeared before the board on that date and made arguments in favor of the complete canalization of the upper Cumberland at Government expense. I am one of those who made an argument upon that occasion. The Board of Engineers for Rivers and Harbors, after hearing the arguments made before it, recommended to the Chief of Engineers of the Army that the entire upper Cumberland be locked and dammed at Government expense.

On February 4, 1914, in making his report to Hon. Stephen M. Sparkman, chairman of the Committee on Rivers and Harbors, of which I was a member, the Chief of Engineers of the United States Army said:

After due consideration of all the facts available I concur with the views of the district officer and the Board of Engineers for Rivers and Harbors. The first appropriation should be $340,000, for securing all lock and dam sites and for beginning construction of Lock and Dam No. 8, with contract authorization for $201,000, covering the completion of this lock and dam. Subsequent appropriations should be sufficient to permit the beginning of construction of two additional locks and dams each year.

We incorporated in the rivers and harbors bill of 1914 the item of $340,000 to buy the remaining sites and properly begin the complete canalization of the upper Cumberland. We passed that bill through the House, but a filibuster killed it in the Senate. There has been included an item of $340,000 in the bill which has just passed both House and Senate and which has been approved by the President and which is now a law, providing for the "improvement of the Cumberland River above Nashville in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors, printed in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document."

The law as passed makes it the policy of the Government to completely canalize the upper Cumberland, and it will be only a question of time when the entire upper Cumberland will be locked and dammed. The Board of Engineers for Rivers and Harbors, as well as the Chief of Engineers of the Army, recommend that after this year the Government undertake to construct each year thereafter one additional lock and dam in the upper end of the river below Lock 21, and one in the lower end of the river above Lock 8, and Congress has now approved that recommendation; so in a few years this work will be completed, and the people in the counties along the Cumberland River from Burnside to Nashville will realize their dreams of over a quarter of a century.

We feel that we are justly entitled to this. On February 4, 1914, the Board of Engineers for Rivers and Harbors said in its report:

Data now available indicate that there is a commerce on the upper Cumberland amounting to about 300,000 tons, which is considerably more than heretofore reported.

When we consider the fact that boats are able to run on the greater portion of the upper Cumberland only four or five months out of the year, the wonder is that our commerce reaches 300,000 tons annually.

On the Kentucky side, below Burnside, the Cumberland River runs through or close to the counties of Pulaski, Wayne, Clinton, Cumberland, Russell, and Monroe. Taking the counties as a whole, their wealth consists largely in timber and coal and agriculture. Coal constitutes no part and timber but a small part of the present commerce on the upper Cumberland.

The Board of Engineers for Rivers and Harbors in their report of February 4, 1914, to the Chief of Engineers, United States Army, made this statement:

A large part of this area is covered with timber of high value within hauling distance of the river, but under the existing uncertainties of navigation it can not be economically marketed. Much of the land in the valley and back in the hills is fertile but can not be cultivated to advantage for the same reason. There are also extensive coal lands that can be made tributary to the upper reaches of the river by short rail connections, and it is claimed that these lands will be developed and that coal will be shipped out in large quantities.

This tells the story. It explains why our commerce is no larger than it is. It emphasizes the need of the canalization of this river in order to reach a market with our products.

According to the census of 1910 there were 283,200 acres of standing timber in Clinton County and 51,367 acres of woodland. Cumberland County had 185,760 acres of standing timber and 95,341 acres of woodland. Monroe County had 86,945 acres of standing timber. Russell County had 80,666 acres. Wayne County had 17,818 acres of forest lands. This timber is virtually all there yet. It constitutes a part of the greatest boundary east of the Mississippi River of hardwood timber in this country, such as poplar, oak, walnut, cedar, chestnut, hickory, ash, and other valuable hardwood timbers.

Hon. W. A. Dicken, of Albany, Ky., a safe banker and conservative man, wrote me some time ago about coal lands in Clinton County. He said:

We estimate the number of acres of coal lands in Clinton County to be 12,500; average thickness of veins, 4 feet. The coal in this county is of good quality.

The answer comes back, transportation facilities. These people are cut off from the outside world. There is a territory there in Kentucky and Tennessee as big as the State of Connecticut without a foot of railroad in it. They have neither railroad transportation nor water transportation. They would not be asking you through their Representative here for water transportation if they had transportation by rail. It has been the policy of the Committee on Rivers and Harbors and of this House and of Congress to appropriate money on streams that have railroads going up and down either bank, and this Congress is still doing it. If this Congress expends the money of the country on streams that have railroads going up and down either bank, if that is justifiable—and the Congress has taken the position heretofore that it is—how much more justifiable is it to spend money on streams that have absolutely no transportation either by water or by rail?

Mr. Speaker, ours is a deserving people. Wayne County has produced her Shelby M. Cullom, late a United States Sena-

tor from the State of Illinois. Clinton County nursed at her breast Gov. McMillan, of Tennessee, as well as Gov. Bramlette, of Kentucky. Monroe County claims the unique distinction of having furnished in the person of one man, Preston H. Leslie, a governor for two States. The people of southeastern Kentucky, these among them, are the greatest and purest reservoir of old Anglo-Saxon in this country. In the recent war with Germany and the central powers the county of Clay furnished according to its quota more officers, it is said, than any other county in any State in the Union. Harlan County, it is claimed, gave a greater sum to the Red Cross according to its quota than any other county in the United States and was given an honor flag. McCreary County, I am informed, oversubscribed its quota in bonds to one of the liberty loans 21 times, which no other county in the Union surpassed. All honor to the people of the mountains of Kentucky.

Thank God this river and harbor bill has been passed and that the dawn of the commercial redemption of all the mountain people is drawing nigh.

The Administration of Military Justice.

EXTENSION OF REMARKS

OF

HON. A. C. SHALLENBERGER,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SHALLENBERGER. Mr. Speaker, in discussing the subject of justice in the Army certain things at the outset should be said in fairness to the military authorities who have administered the present courts-martial system. They are not alone responsible for the conditions which have arisen under that system, conditions with which we now are all familiar, conditions disclosing that thousands of our soldiers have been convicted and unjustly sentenced to long terms of confinement in the military prisons, and which have shocked the moral sense of every Member of Congress and of the people throughout the country.

Certain things should be said in defense, not of the system, but of those authorities, because they did not create the system, they inherited it; it came to them from the past. At the outbreak of war its vices, although existing, were not generally known or recognized. The country as a whole, and even the average Member of Congress, cared little about the Army and knew less concerning its government. Courts-martial meant nothing to them. Miscarriages of justice they did not hear of. The Articles of War did not become a live, pressing subject until the war came, and the court-martial system seized not only the old Regular soldier but the boys drawn from civilian life into our expanding Army, and it applied not to a handful of men in whom but few families had an interest, but to thousands and hundreds of thousands of boys, coming from all sections and from every walk of life.

And even after the war started and it was seen that the system worked injustice, the military authorities should not be criticized too severely for not correcting the system. They were engaged primarily in winning the war; their task was to defeat Germany. Their energies were devoted to raising and equipping armies, to training the raw recruits who had just come from civilian life, to transporting our forces across the seas, and to the actual defeat of the enemy. During the period in which America was transferred from a peace to a war-time basis—and almost overnight the entire country became an armed camp—many things were overlooked which should have been corrected; many things were done which should not have been done. Human vision was not broad enough; human strength was not great enough to create in so short a time a perfect war machine. It is small wonder, therefore, that during those days of Herculean effort and activity the subject of military justice received scant and inadequate attention. The eyes of the Army authorities were on the railroading of troops and supplies to the front; they failed to see the frequent railroading of individual soldiers into military prisons.

While we can excuse the military authorities for not changing the system before the war, while they were engaged in its vigorous prosecution, there is no longer excuse if the system is permitted to go on unchanged, now that the war has brought out its injustice and undue severity. The responsibility of Congress is plain. Its members know the system is wrong. If they did not know it before the war, the war has shown that it is un-American and unjust. It should be reformed.

If there be those in military authority who seek to prevent remedial legislation by Congress, they should be required to abstain from interference with the legislative branch.

Congress can not be excused if it fails to act, because the Congress is as much responsible for the system as are the military authorities. The system was created by legislative enactment under the provisions of the Constitution vesting in Congress the power to make rules and regulations for the government of the land and naval forces. The military code is the creation, not of the President as Commander in Chief, not of the military authorities, but of this body of which we are Members and for whose acts we are responsible.

We can not defend ourselves before the country if this system is not changed, because the system is wholly without justification. It is cruel, it is barbarous, it is contrary to our cherished principles of government and jurisprudence, principles which demand for an accused a fair trial and which limit his sentence, if guilty, to a punishment commensurate with the crime committed, principles which are the choicest product of the old English common law, principles esteemed so priceless by the people that when they adopted the Federal and State constitutions, by bills of rights, they prevented the governments so established from depriving them of their benficent protection.

In civil life these principles protect the life, liberty, and property of the citizen. They guarantee to him a fair trial—a trial by due process of law, a trial before a jury of his peers, conducted according to recognized rules of law and procedure. But the instant that the citizen becomes a soldier, the instant he forsakes comfort and safety for hazardous service in his country's cause, these laws and principles no longer safeguard his life or liberty. Both depend entirely upon the will of his commanding officer. He becomes not only subject to but in effect the subject of that officer, who is unlimited in the exercise of his authority over him.

Military justice is not justice according to law, but is justice administered by an officer and according to his will. It is not a judicial system, but a system of personal despotism. The Articles of War constitute a system which is a relic of feudalism, when each chieftain had his own military establishment, over which he held absolute sway, when the soldiers serving under him were little more than serfs, whose liberties and rights were entirely dependent upon his will. No judicial system limited him in the exercise of his power over them, no matter how unjust or tyrannical his act might be.

The military code which governs the American Army had its inception in that dark era of the world's history when the Prussian Frederick set up his military kingdom in Europe. It was born then, and it has projected itself into the twentieth century with little modification of its iron rules and merciless provisions. Strange as it may seem, it has survived in America, while England, France, and Italy and other democratic nations have long ago abandoned it. When the war came it alone yet lived in Prussia and Russia. The United States, a Nation which prides itself on the civil rights and freedom of its citizens, has a military code as archaic and despotic as that of the Czar or Kaiser.

In every other enlightened and free country a soldier, no matter how low his rank, is tried by a military code which affords to him substantially the same protection as is given a civilian when tried by a civil court. In our Army, however, a soldier is a creature without liberty or rights except those that the commanding officer may give him. This is a statement of an ugly fact, a fact which is sought to be successfully concealed under a mass of forms and ceremonies. Let us contrast the trial of a civilian with that of a soldier:

If a civilian citizen is accused of a crime, before he can be arrested charges must be preferred against him in the form either of an indictment returned by a grand jury or an information filed by the prosecuting attorney. Neither the indictment nor the information is filed unless a regularly constituted law officer of the State determines that the acts of which he is accused constitute a crime, unless some part of the established judicial machinery determines that a prima facie case is made out against him. The civil law esteems the reputation of the civilian citizen so highly that it does not permit even the blemish of an accusation to be put upon him unless the evidence against him is strong and convincing.

If the soldier citizen is accused of a violation of the military code any commissioned officer, regardless of his character or experience, may prefer charges against him, no matter how trivial or how innocent the acts, and he is immediately placed under arrest or in confinement. The stigma of a criminal is immediately placed on him. The charges then are referred to

the commanding officer, usually the commander of a division or of a camp, who has the power to convene a general court-martial and who determines if the soldier shall be brought to trial. This officer is not a lawyer or a man learned in the law; he is a military commander, impressed with the importance of maintaining discipline, and who has been taught the military idea that discipline is to be maintained though justice may be rudely shocked. He may know nothing of law, yet his power is supreme under the articles of war. He has on his staff a judge advocate, a law officer, to whom he may refer the question of prosecution. But he is under no duty to do so or to follow the recommendations, if any are made by this officer.

Statistics show that in very many of the general courts-martial cases no prima facie showing of guilt of the accused was made. Nevertheless they are made to run the chance of conviction and to bear this permanent scar on their record for a lifetime, when often the evidence of the prosecution shows that in all likelihood they were innocent.

The records show that for the most part the offenses charged do not involve moral turpitude on the part of the accused, but simply some minor infraction of discipline. They are not charged with robbery, arson, murder, or embezzlement, but refusal to obey some order, such as peeling potatoes or sewing a hat cord to their hats, or for being disrespectful to some sergeant or second lieutenant. Offenses against military discipline it is true, but offenses which should be punished by a summary court by being detailed to police duty or confined in the company street, rather than by a court-martial.

A civilian citizen is entitled to release from confinement upon furnishing bail pending the interval between his arrest and trial. He is given a preliminary hearing before a magistrate to have determined a second time whether a prima facie case has been made out against him.

A soldier citizen is placed in confinement, with no opportunity of release on bail or of preliminary hearing. The seventieth article of war provides that he must be brought to trial within 40 days from the date that charges were preferred against him. The court-martial records show that the average period of confinement before being brought to trial is more than 30 days; but in many cases the 40-day period is exceeded. I am informed that men are now in confinement in camps who have been there for months without being brought to trial and without opportunity to be released from confinement.

A civilian citizen is tried by a jury, whose names are generally drawn from a jury wheel containing the names of all citizens eligible to serve on a jury of that court—they are not designated by the judge or other official. He may challenge any member of the venire so drawn; the challenge is passed on by the court and not by the other members of the venire. He may challenge for cause at any time during the trial before the verdict is actually reached by the jury; and after the verdict he may move to have the verdict set aside by showing that any member of the jury was prejudiced against him or otherwise disqualified. In other words, at all stages of his trial he has the right to demand and secure fair and impartial trial of his case.

The soldier citizen is tried by a court made up solely of commissioned officers selected and designated by the commanding officer who convenes the court. He has the right of challenge before his arraignment; but the merits of the challenge are passed upon not by some impartial third person, but by the remaining member of the court, who may be subject to the same challenge, and who can not fairly pass on the merits of this challenge. It is charged that many men have been tried by courts who were prejudiced against them, who had formed opinions of guilt of the accused before the trial. It is charged that a court made up of commissioned officers leans toward the conviction of enlisted men—that there is an unfair disproportion between the convictions of men and of officers. Statistics of general courts-martial show that the proportion of enlisted men convicted by courts-martial is about three times that of commissioned officers so tried, and the penalties are much severer upon the private soldiers.

A civilian citizen is tried before a judge who is learned and skilled in the law, who is sworn to conduct the trial impartially, who rules on questions of law and of procedure arising during the trial, and who instructs the jury as to the law at the conclusion of the trial.

A soldier citizen is tried before a court-martial made up of laymen, so far as the law is concerned. This court passes on questions of law as well as of fact, although its members know nothing of law, of rules of evidence, or procedure. The records show that a very large per cent of the general courts-martial cases contain errors of law, many of them seriously prejudicial to the accused, such as the admission of incompetent evidence or finding the accused guilty on insufficient evidence. A large percentage of the cases are so filled with error that an appellate court in civil life would not hesitate to set the verdict and judgment aside.

A civilian citizen is tried by a prosecuting attorney, the representative of the State, a lawyer, whose function it is solely to prosecute.

A soldier citizen is tried by a judge advocate, the representative of the Army, designated by the commanding officer who convenes the court. He may or may not be a lawyer. His functions are not only to prosecute but also to act as the legal adviser of the court and of the accused. In other words, he is called upon to exercise inconsistent and impossible functions—a prosecutor, an impartial adviser of the court, and a defender of the accused. If he attempts to perform all three functions, he does none efficiently. Experience shows that generally he is a prosecutor and little else.

A civilian citizen is defended by a lawyer of his own selection or by one appointed by the court; in either event a man learned and skilled in the law conducts his defense.

A soldier citizen may employ civilian counsel or select military counsel or accept the services of military counsel designated by the commanding officer. If he is an officer he probably has sufficient funds or assistance to secure the services of able civilian lawyers, who will conduct an adequate defense; if he is a private, he generally has no funds or assistance, and hence must rely on military counsel. But such counsel is rarely a lawyer or a man with knowledge of the law. He generally is a second lieutenant, fresh and inexperienced in the service, who knows nothing of courts-martial, who is embarrassed not only by reason of his inexperience but also by the fact that he is outranked by the judge advocate and the other members of the court. He can not adequately defend the accused. The records are filled with cases where the accused has been told to enter a plea of guilty where a vigorous defense should have been made. Often the incompetent defender has failed to safeguard the rights of the accused, resulting either in illegal conviction or unjustly severe punishment.

A civilian citizen after the prosecution has put in its evidence may move for a peremptory verdict of acquittal or for dismissal of the case, on the ground that the prosecution has not made out a case against him. After the verdict he may move to set aside the verdict, or for a new trial, on grounds that the verdict is against the evidence or there has been unfairness or prejudice on the part of the jury or judge, or there is newly discovered evidence material to the issue.

A soldier citizen has none of these rights. The case is closed so far as securing any reopening on the part of the court is concerned.

A civilian citizen can not be convicted without the unanimous vote of the jury.

A soldier citizen can be convicted by a majority vote of the members of the court, except in cases inflicting the death penalty, where a two-thirds vote for conviction is required.

A civilian citizen is immediately informed of the verdict of the court.

A soldier citizen may be not informed of the finding for weeks after it is made.

A civilian citizen receives a punishment commensurate with his crime. In minor offenses a fine alone may be imposed or a short confinement in the county jail. Punishment in the penitentiary for a term of years is inflicted only for serious offenses, involving such moral turpitude as to make it unsafe to society for him to remain a member of it. Never is the death penalty imposed or confinement for a long period of years prescribed except for murder, rape, arson, robbery, or similar heinous cimes.

A soldier citizen receives a punishment immeasurably more severe than that given a citizen for an offense of like seriousness. For minor offenses, such as absenting himself without leave for one day to visit a sick mother or refusing to peel potatoes, he may be sentenced to 20 years' confinement at hard labor. Military punishments have shocked the country by reason of their severity since they have become known.

A civilian citizen is convicted only of the crime that he actually committed.

A soldier citizen may be convicted of desertion or of mutiny when there was present in his act no element of desertion or of mutiny. Statistics show that he frequently is convicted of a serious offense where the most that he was guilty of was some lesser included offense, such as absence without leave instead of desertion.

A civilian citizen is given the right of appeal to an appellate court, either by appeal or by suing out a writ of error; the

right to have an appellate court pass on the sufficiency of the evidence of conviction, on the regularity of the proceedings of the trial, on the errors of law committed by the trial judge in qualifying the jury, in the admission or rejection of evidence, and in instructing the jury.

A soldier citizen has no right of appeal whatsoever. Instead he is placed at the mercy of the commanding officer who appoints the court.

The finding of the court-martial is not final; it is no more than a recommendation to the commanding officer as to the guilt or innocence of the accused and the punishment that should be inflicted upon him. It goes, together with the record of the case, to him for approval or disapproval. If he approves and the conviction, in the case of enlisted men, is less than the death penalty, and in the case of officers is less than dismissal from the service, the sentence is immediately carried into execution without review by any other officer or department. If the sentence involves the death penalty or inflicts dismissal from the service on officers, the case comes to the Judge Advocate General of the Army for review, and from him to the President, whose action we shall discuss later. It is worthy of notice that death to a private soldier is put on parity with dismissal of the commissioned officer. If the commanding officer disapproves and bases his disapproval on the ground that the sentence is too light, he can return the record to the court, informing it what he thinks the sentence should be and directing it to reconsider its finding, and he can continue returning it until the court does so reconsider and change the finding. If the finding be acquittal, he can direct, in effect, that a finding of guilty be made. If the finding be "absent without leave," a minor offense, he can, in effect, direct a finding of desertion; if the punishment inflicted be six months, he can, in effect, direct a punishment of 5 or 10 years. His power is such that he can, in effect, compel the court to conform its finding to his judgment of what the finding should be. In a word, he is, in fact, the court.

In reaching his conclusions he may or may not accept the services of the law officer, his staff judge advocate. If he elects to ask his opinion, he need not accept his recommendations.

All general court records go from this commanding officer to the Judge Advocate General for review, but he has no power to change or modify the finding to make it conform to the law applicable to the case and to the evidence introduced. In the case of error or unfairness he can make a recommendation to the commanding officer that the finding be modified. The commanding officer need not follow this recommendation. In other words, the Judge Advocate General of the Army does not have the authority to control the Army courts-martial.

The findings of all general court-martial cases must be reviewed by the Judge Advocate General, but the execution of the sentences is not suspended during this review, except where the sentence imposes the death penalty or inflicts dishonorable discharge upon officers, and in these exceptions only where the death penalty is imposed for an offense of other than murder, rape, mutiny, desertion, or espionage. The commanding officer immediately carries the sentences into execution, even though some weeks later the Judge Advocate General may respectfully call his attention to certain serious errors of law in the record which in a civil case would vitiate the entire proceedings.

After the Judge Advocate General makes his recommendation concerning the finding those cases which involve death or dishonorable discharge of officers go to the President for confirmation before their sentences are executed. Cases which do not involve death or dishonorable discharge go back immediately to the commanding officer. In such cases the President and the Secretary of War have no power to modify the finding to make it conform with the law and the facts; they have no power in the case of illegal conviction to set the finding aside and declare the whole proceeding null and void. They simply can exercise the power of pardon and extend the hand of clemency. They can suspend in whole or in part the execution of the sentence. The finding of the court stands as a judgment against the man, a permanent mark on his record that he was legally and justly convicted of the offense and deserving of the harsh sentence imposed upon him. He is thus branded forever, though he may not be compelled to serve the entire sentence.

Mr. Chairman, to state the case briefly, under the military code the soldier citizen has no right of appeal; no appeal is provided. The commanding officer, who convenes the court-martial, is the person who finally determines whether or not he shall be convicted and the punishment that shall be inflicted upon him. The authority of the commanding officer, so far as the legal effect of the finding is concerned, is absolute and final. His authority is limited only in those cases where the sentence as approved by him involves either death or dishonorable discharge of officers for conviction of offenses other than murder, rape, desertion, espionage. In these limited cases the President must confirm the finding. The supreme law officer of the Army, the Judge Advocate General, functions only in an advisory capacity. Nowhere, except in cases of death and dishonorable discharge of officers, is there the power outside of the commanding officer to modify a finding to make it conform with the law and evidence.

The commanding officer, under our military code, holds the life and liberty of this soldier citizen absolutely in his hands. He determines upon what charges the soldier shall be tried and to what extent the man shall be convicted and punished. Justice is administered by him according to his personal will, not according to law administered through a regularly established judicial system. Legal forms and ceremonies may be gone through. The courts may solemnly convene and sit. Judge advocates may prosecute and second lieutenants may defend, but through all this show of legal ceremony is to be seen the hand of the commanding officer, who alone accuses, tries, convicts, punishes, and executes.

In order to see the full effect of this system on the life and liberty of an individual soldier, let us take a typical case. A second lieutenant prefers charges against a man, accusing him of refusal to obey an order to sew his hat cord to his hat. Regardless of the merit or triviality of the charge, the commanding officer, who convenes the court, will uphold the second lieutenant by directing that the man be tried. The lieutenant has created an issue between himself and his men. He must be upheld in order that his dignity in his company may not be lowered. Discipline must be maintained even though some soldier may be unjustly tried and punished.

The commanding officer summons his second lieutenant to discuss with him the charges brought against this soldier. The second lieutenant says, "I want an example made of this man, not because of his act but because it will have a good effect on the other men in my company. There is a general laxity among them. They need something to make them sit up and take notice and to make them jump when I speak to them." The commanding officer directs this soldier to be tried in order that he may be an example to the other men of his company, and put the fear of God and his second lieutenant into the hearts of his comrades.

This attitude is responsible for the small number of acquittals by Army courts-martial:

One in 23 before summary courts.

One in 9 before special courts.

One in 8 before general courts.

Men who have given the subject much study believe it has sent many innocent men to military prisons, and has inflicted harsh and unjust sentences on thousands of others.

What is the remedy for these conditions? What changes should be made in the courts-martial system to make it an instrument of justice rather than injustice?

Congress should so change the Articles of War as to remove the absolute authority of the commanding officer over the life and liberty of men within his command, and give them the protection of a regularly established judicial system. It should provide in substance:

First, that no man shall be tried on charges preferred against him unless the staff judge advocate first examines the charges and evidence and certifies that a prima facie case of the man's guilt is made out.

Second, that at the trial there shall be two judge advocates, one of whom shall be a member of the court, with power to decide all questions of law arising in the trial, with functions corresponding to those of a judge in a civil trial, the other shall be the prosecutor.

Third, that the accused shall be adequately defended by being furnished with services of military counsel (or civilian counsel if he desires to employ them) who shall be men experienced in the service and with knowledge of the law, and with sufficient rank so that there shall be no disparity between him and the prosecutor.

The commanding officer on the review of the finding of the court should not have the power to direct the court to reconsider its finding and to impose a greater punishment than was imposed in the original finding.

The commanding officer on review of the finding of a courts-martial should accept the opinion of his staff judge advocate as to the sufficiency and regularity of the proceedings.

The judge advocate general should have power to revise, modify, and set aside the findings where convictions have been made on insufficient evidence, or where there are any irregularities or illegalities in the proceedings. In other words, the judge advocate general should be a military court of appeals.

A special military court of appeals should be established, appointed by the President, responsible only to the President, to review the records of all men who are now undergoing punishment and whose sentences have not been already executed, and to change and modify the findings so that justice may be done to them.

In other words, the law should set up a judicial machine whereby military justice, just as civil justice, would be administered by regularly constituted courts of trial and appeal, conducted by law officers. We would thus follow in the steps of England, France, and Italy, whose soldiers are not tried, convicted, and punished by military commanders, but by military courts which are independent of the control of such commanders.

Argument is advanced that if we do this our action will be a confession that these unjust conditions do exist. But the cure for this situation is not to attempt to hide and conceal the conditions. Congress, which is vested with the responsibility for the government of the Army, should change the system so as to make such conditions impossible in the future. The present system is archaic and un-American. It has created serious conditions. The country knows them. The remedy is for Congress, which is responsible for the Articles of War, to remove the conditions by changing the law. Justice to our soldiers still in the service, justice to many men now confined in prison, and a decent respect for the feelings of the country calls for immediate action.

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Two contemptible characters in evidence during our war with Germany were the profiteer and the patrioteer. Sometimes both were combined in the same individual. The patrioteer was the worst of the two. The profiteer took advantage of his country's peril to satisfy his greed for money, while that patrioteer with shameless hypocrisy wrapped himself in the flag and pursued his base and selfish ends under the pretense of patriotism.

The patrioteer showed himself in his most despicable guise when he laid his hand on public affairs, and particularly in the field of politics. There he showed that no act of treachery, no low political trick, no contemptible deception, no dishonest method was too base for him to resort to. Never patriotic, never willing to make any sacrifice for his country, never able to comprehend devotion to public duty or steadfast adherence to principle, he posed as a model of civic virtue and had the brazen impudence to hold himself up as an example of what a patriotic citizen should be. As in the fields of trade and industry the profiteer found his opportunity, so did the war afford the patrioteer a chance to glut old hatreds and to destroy faithful public servants whom he could not bend to his selfish purposes.

I speak of these things feelingly. They have a personal meaning to me. I was confronted with both patrioteer and profiteer in my race for Congress in the fall of 1918. I was the object of their desperate attacks. They committed themselves without reservation to the attempt to destroy me. The purpose of these remarks is to relate the story of that campaign.

THE NINTH DISTRICT OF ALABAMA.

The ninth district of Alabama, which I have had the honor to represent in Congress for the past four years, is composed of a single county, Jefferson. It comprises the heart of the mineral and industrial district of my State.

The population of Jefferson County is 300,000, of whom 180,000 are white. Only 3 per cent of the population is foreign born. The county contains two cities, Birmingham, with a population of 200,000, and Bessemer, with 18,000, besides several small towns and a number of mining villages. Only about 3,000 men are engaged in farming. Some 18,000 are coal and iron miners. There are important iron and steel works and numerous railroads, with perhaps 7,500 employees.

Jefferson County is the seat of the operations of several subsidiaries of the United States Steel Corporation and of six or eight other great industrial and mining concerns. There are some 50 coal-mining companies operating in the county. Roughly speaking, three-fourths of the population are connected with corporations engaged in steel and iron works and the production of coal and coke and in railroading.

Naturally the business life of the community is dominated by the half dozen great steel, iron, and coal companies. Their favor means success to a financial or business interest and therefore is eagerly sought. So influential are these great concerns that they play an important part in the social and political life of the community. The political almoner of these great interests is the head of a large mining company. He does not pretend to be a Democrat, but his support is said to usually control a Democratic nomination when he chooses to exert himself.

The voting population of my district is only about 17,500. Due to the absence of our soldiers and war workers, the number was reduced to less than 15,000. The interest in the primary of August 13, 1918, was intense, yet only 12,847 votes were polled. The legal voters are so few because of the illiberal election laws of Alabama, which carry the cumulative poll-tax payment requirement and other harsh features which make it difficult for voters to qualify. The negro vote is negligible, numbering only about 300.

The chief interest in politics in my district is in the Democratic primary. In this nearly all voters participate. No interest is taken in the general election, and the vote is trifling unless something of unusual interest is involved.

Birmingham has three daily newspapers, with combined circulation of about 115,000, a good labor weekly with limited circulation, and two or three other small weeklies. Bessemer has a live weekly which constitutes an important influence in that section of the community.

A CLASS FIGHT.

In its controlling features the campaign for the Democratic nomination for Congress became finally a fight of classes. I was opposed from the beginning by the big interests, which were soon able to enlist the help of the financiers and larger business men, and through them the chamber of commerce and certain other civic bodies, though, of course, their members were not unanimous. These powerful influences soon contrived to array the great majority of those who consider themselves better than common people, and their parasites of lawyers, preachers, and other professionals. "Society" was agog over the contest. All the climbers damned me vociferously, and it soon came to the point where the social standing of anyone who would admit that he was my friend was jeopardized. My name was anathema at card and social clubs. Even the banks where I kept my deposits went into politics to fight me; they had larger depositors who were on the other side. The backbone of my opposition was the Coal Operators' Association, a hide-bound and powerful interest, the bitter enmity of which I had incurred.

Thus it came to pass that I was opposed by the unanimous daily press, the bankers, the big employers of labor, the clubs, "society," and all those who hang onto the coat tails of the classes and crave their smiles. There were also those who had never been patriotic before, but had been goaded into it by the war fever, and were so maddened by the unaccustomed sensation that they wanted to fight somebody, and found it safer and more convenient to charge at me than to fight our country's foes. Sundry wet-weather patriotic units went into the trenches; the chief of the local Vigilantes tried to put his organization into the fight against me, and succeeded with a majority of his associates.

Of course, some excellent men, men of high character and unquestionable patriotism, opposed me. Numbers of these were honestly misled by the false clamor that my opposition raised; others seriously differed in matters of important principle, and opposed me, as was their privilege. I bear no grudge against them.

On the other hand, at my back, standing like a stone wall, were the masses of the people—farmers, railroad employees, and wage earners generally. Also, I had on my side a large part of the small business element, together with a considerable number of men who were associated in one way or another with the classes opposing me but who could not be misled by false issues or bullied into voting against me.

SOUTH HIGHLANDS AGAINST ME.

This statement of the line-up of my friends and foes is not fanciful. It is borne out by an analysis of the vote cast. I received a plurality at every voting box in the county except the nine boxes of the wealthy South Highland district and three boxes of the aspiring Norwood neighborhood. This does not include the box at Bessie, a Sloss Co. mining village, controlled by that company, nor a Woodlawn box, where there was a tie. Out of 1,725 votes at straight farmer boxes I received all but 270; seven of these boxes I carried unanimously. Warrior, a combined mining and farming box, gave me 107, my two opponents together 7; Inglenook, with its railroad employees, gave

me 103, my opponents together 17; Wylam, a mining and working-class community, gave me 203, my opponents together 39; the four boxes of Pratt City, precinct 29, gave me 436, my opponents together received 129. At Ensley, North Birmingham, Elyton, and Avondale I received nearly 80 per cent. Out of 700 votes cast in Bessemer I received 520, my opponents together 180. At the seven South Highland boxes, extending from Glen Iris to Mountain Terrace, the exclusive residential section of Birmingham, and including the three Norwood boxes, where similar classes reside, I received only 499 votes, while my two opponents received 1,615.

These figures show clearly where the dividing line was drawn, but to one who was thoroughly acquainted with the community and knew what influences were at work the class issue was more obvious, for always there are certain individuals who may be controlled by persons of wealth and prestige, and all such were practically unanimous against me.

The class issue was made by my opposition. The prime cause of the fight on me was that I had tried to represent all the people of my district. I had refused to be the handy man of powerful interests. I had opposed profiteering and, in general, the game that those who became my enemies were playing. I had tried to be a friend to the common man. I had shown an interest in his problems and tried to help him with his burdens. I had concerned myself with the interests of labor and given countenance to wage earners trying to better their condition. The edict was that I must be destroyed. They filched the slogan "He shall not pass" and made it their watchword. The masses sensed this. They caught this meaning. I was being crucified because I was their friend. And they rallied; they stood by my side firm as men never stood before; they could not be bluffed, nor wheedled, nor intimidated, nor deceived. And my opposition, powerful and impudent as it was, cowered in humiliation and defeat.

ISSUES OF THE CAMPAIGN.

I announced my candidacy for renomination upon three definite planks: For paying for the war as far as possible by heavy taxes on war incomes and profits; against the adoption of a permanent system of compulsory military service; and against the conscription of labor as a war measure. The latter was a vital issue during the summer of 1918, as the matter was under consideration by the Government as has recently been disclosed. I sought to place my campaign upon a high plane of political principles. However, my opposition would have none of it. They ignored my tender of issues. They made no issue with me upon matters of principle, but based their opposition wholly on my personality.

Even before I took my seat as a Member of the Sixty-fifth Congress in March, 1917, my opposition was seeking an opening on some matter connected with the war. A strenuous effort was made by the News in March, 1917, to whip me into line as a servile administration man and from thenceforward every possible occasion was seized upon to place me in a position of antagonism to the President. The slightest variation of opinion on my part was magnified and distorted. When I was unable to accept as a whole any measure which could be credited to the administration I was summarily blasted as "fighting the President." My votes against conscription and the espionage act were represented as being due to hostility toward the administration; soon this misrepresentation degenerated into the false and shameless cry that I was "opposing the war." My vote in favor of the war was ignored, also my support of the bond issues and tax measures and my votes for every appropriation and other measures proposed for carrying on the war—all were ignored. I had voted against conscription and against the suppression of the constitutional rights of free speech and free press. No support that I could give to the war was of any worth in the eyes of my critics.

The charge that I was antagonistic to the President continued throughout the campaign and rose to a shriek near the end when the President intervened against me. His intervention gave color to the slanders of my critics, and after that nothing was heard except "Who are you for, Wilson or HUDDLESTON?"

Throughout the campaign, and especially toward its end, my opposition resorted to insinuations against my patriotism along with the slogan of "Wilson or HUDDLESTON." They raised the false and shameless cry, "America or Germany, which?" saying, by cowardly innuendo, that I was not loyal to my country. They gave no particulars; they offered no facts; they made no specific charge, but hid themselves in insinuations and innuendoes. They distorted my speeches, filled the newspapers with misleading advertisements, and seemed determined to destroy me by sheer audacity. The nature of the campaign carried on against me created great public excitement and bitterness. My opposition resorted to every means to raise up hatred and prejudice against me. My friends believed that feeling had been so aroused by the attacks that my life was not safe. Threats of personal violence upon me were frequent. Looking backward I am reluctantly compelled to believe that the spirit in which I was opposed was consistent with violence had the opportunity been found.

IT WAS PERSECUTION.

As may well be believed, my friends and supporters soon came to regard the fight on me as nothing short of persecution. The hatred unleashed at my throat actually had the effect to create sentiment in my favor. The intemperance and unfairness of my opposition and the dastard tactics resorted to solidified my friends and roused them to resentment. At the beginning they had been timid and apologetic, but soon saw that something harsher was required, and at the close their indignation reached the boiling point, and they were as aggressive in fighting for me as my opposition was against me. Early in the campaign my friends sought to avoid personalities and to give their support upon a high plane, but later, aroused to wrath by the threats and bullying of my opposition, they gave themselves without stint. They served notice on the bullies of the opposition of stern retaliation if a hair of my head was harmed.

Fired by the vicious methods of my opposition, the latter days of the campaign were filled with feverish excitement. There was street-corner speaking, streets crowded with excited partisans, frequent hard words, fist fights, several near riots, and strife on a large scale narrowly averted.

In retrospect my renomination in a large way signified an expression of confidence and approval on the part of my supporters, the vindication of my integrity and patriotism, and the faith of my constituents that I had done and would continue to do what I considered best for the public welfare in the discharge of my duties. The result was also a rebuke to the despicable methods which had been used by my opposition. It was notice that a faithful public servant should not be destroyed by organized and powerful interests inspired by motives of selfishness. It was an assertion of the right of the plain people, of the majority, to rule and to choose as their Representative one who had shown himself their friend and in whom they had confidence.

FOUL CAMPAIGN METHODS.

The campaign methods of my opposition were unspeakable. Every low political scheme was made use of; every trick and possible deception and subterfuge were resorted to. There was bullying and intimidation wherever it could be practiced, and wheedling, deceit, and appeals to class interests and prejudices when deemed effective. Money was used lavishly, but so far as I have learned there was no direct corruption. Happily, that is not effective in my district.

It is hard to say when the campaign began. In fact, it has gone on ever since I first took a seat in Congress. Every opportunity for unfair criticism was seized. I was ignored when it was possible to do so, and at all other times belittled and ridiculed. Selfish interests never sleep; they can not be placated nor won over by faithful public service.

As the foreign situation became more acute the effort to line me up as an opponent of the President's policies seemed my opposition's best hope for success. My opposition seized it as an opportunity; they foresaw that I would not be a servile follower of the administration; they hoped to take advantage of that characteristic. Even before war against Germany was declared any of my expressions which could be construed as differing from the President's views were made much of. Trifling differences of opinion were grossly magnified. In March, 1917, a strenuous effort was made under the patronage of the News to organize a movement to coerce me into servility toward the administration. Under patriotic pretenses petitions were circulated binding the signers to stand by the President. This was well understood as being aimed at me. On Flag Day in 1917 a great patriotic demonstration was organized. It culminated in the passage of a cut-and-dried resolution sprung upon the unsuspecting assemblage demanding that I vote for conscription. This was followed up by hectoring articles in the dailies threatening me if I failed to do so. My views on conscription were well known. It was not expected that I would knuckle under to the bullying. My opposition no doubt hoped that I would not and expected therewith to destroy me.

The gross exaggeration of my failure to agree with the administration on conscription and the espionage act continued and finally took on the sinister aspect of innuendoes against my patriotism. The caviling continued in the press and out of it. During the fall and spring of 1917–18 a frantic effort was made to find some one to run against me at the approaching election. Committees went to everyone supposed to have po-

litical strength and offered their support. The daily papers, unanimous against me, took turns in nominating opposing candidates. The politicians, however, were wary. They realized my wide personal acquaintance and that I had the confidence of the masses and were loath to enter. Numbers of very good men would gladly have come to Congress. Most of them were afraid to try for it.

POLITICAL CONSPIRACY.

Finally, by one means and another, five opponents of greater or less following were brought into the field against me. The next play of my opposition was to combine on the strongest of my opponents and to induce the others to withdraw. The candidates were induced by fair means or foul to submit to that process of elimination. Three of them were thereupon ruled out, leaving two remaining. This scheme of my opposition calls for explanation. The laws of Alabama governing primary elections require that the nominee receive a majority of all votes cast irrespective of the number of candidates and provide for first and second choice votes, optional with the voter. Where no candidate receives a majority the nomination is given to the candidate having the greatest number of first and second choice votes combined. Two opponents were chosen to run against me with the agreement that the supporters of each should vote for the other as second choice. It was expected that my supporters, since they could not vote for me on both first and second choice, would give their second choice to one of my opponents. This fine plot was designed to result in the nomination of one of my opponents, it being recognized that neither of them could hope to get a majority of first-choice votes. It was typical of the ethics of my opposition.

The two candidates selected to remain in the field against me were F. M. Jackson, a capitalist and manufacturer, and A. J. Dickinson, a Baptist minister. The former was chosen to win. He was prominent in business and financial circles and had been an active prohibition leader. He was to be supported by the solid financial and large business elements and was expected to control a substantial following on the outside. Dr. Dickinson was selected as a decoy for votes which might otherwise go to me. He was known to hold progressive political views and to be popular with his denomination. Also he was an active leader in an anti-Catholic movement, which was strong with the farming people and with the smaller business and middle-class elements, and had influential political affiliations. It was expected that each of my opponents would organize their strength so as to deliver their second choice votes in a block to the other. In fact, such was the actual result, as I received only a total of 100 second choice votes from their supporters. An effort was made to deceive voters into thinking that first choice votes would be thrown out as illegal if no second choice was voted. The deception failed; few of my supporters voted for a second choice.

The schemes and plots of my opposition were in vain. The total vote cast was 12,847, of which I received 7,650, Jackson 3,134, Dickinson 2,063; my vote was substantially 60 per cent of the total, while my opponents divided 40 per cent between them. But for the President's intervention I do not doubt I would have received from 75 to 85 per cent of the total vote.

"THE ALLIED ARMIES."

The business organizations of my city, except the civic association, are under the domination of the big interests and larger business men. These bodies were largely in control of liberty-bond sales and other war subscriptions. A so-called "allied armies" was organized to conduct this work. This organization did good work in its proper field, but being largely dominated by the class opposing me, it was put into politics against me. I subscribed liberally to every bond issue, but this was not due to the organization. It ignored me completely. All my subscriptions were offered voluntarily. Never at any time was I asked by any representative of the organization to subscribe. Usually my subscriptions passed unnoticed. I was not permitted to take part in this war work. I was never invited to make a speech in my home city in behalf of bond sales or other war work. This in face of the fact that I had voted for every bond issue, subscribed for every issue, and had supported the work in every way to the best of my ability.

In May, 1918, I took occasion in the House to advocate higher taxes on war profits and incomes, and to say that while I would vote for the loan then proposed, I was unwilling to continue to vote for bonds unless heavier taxes were laid. My opposition considered the time ripe to launch their campaign against me. Simultaneously, and evidently by prearrangement, they sprang at my throat. Each of the three dailies denounced me. The News called me Socialist and insinuated pro-Germanism. The Age-Herald characterized me as a Bolshevik and deliberately lied about my position on financing the war. The "allied armies," at a meeting held to promote the loan, passed a cut-and-dried resolution offered by the Republican agent of a big New York insurance company, misstating my position and charging me with misrepresenting my constituency. The Ledger clamored for my elimination from Congress. The great offensive had begun. Agents of the big interests, parasites, and sycophants, Tray, Blanch, and Sweetheart, all took up the cry.

Many of my friends thought I was done for—no official had ever faced such a storm in my city—naturally they were discouraged. Numbers of those who stood firm and continued to defend me were visited by influential citizens and advised that agents of the Department of Justice were watching them and they had better be quiet.

But I was unafraid—foolhardiness it was called—but I trusted the people. I had faith that justice would be done. A brave few rallied to my rescue. They organized, took up the fight, defended me at public meetings called for that purpose, encouraged the timid and explained the situation to the unthinking. The unbluffable element stood firm from the first. Old-fashioned Americans of revolutionary stock, they let it be known at once where they stood. Various progressive elements asserted themselves. The forces of labor were active and after a few weeks it began to be seen that the great majority were on my side.

PATRIOTEERS IN ACTION.

In desperation a falsely named "Jefferson County Patriotic League" was organized by my opposition. Its expressed purpose was to defeat me for Congress. It had a skeleton of officers, but its membership was unrevealed. It spent money lavishly—where the money came from was not disclosed. It went into the press with an advertising campaign of false insinuations and lying and insulting innuendoes. No one accepted responsibility for its dirty work. During the last few days of the campaign this base and anonymous organization spent over $3,000 against me. This appears in the sworn affidavit by one of its officers. Who furnished this money?

There was no need for my opposition to spend money advertising. The dailies gave free all the space that might have been desired. The Age-Herald was especially vicious and dishonest. It carried almost daily slanderous and deceitful cartoons and reading matter against me. The hatred and spleen of these cartoons were tempered only by their utter stupidity. I was shown as a Bolshevik refusing to support the Government; as the protector of a German anarchist exploding a bomb under a munitions plant; as a pigmy trying to hold back a giant Wilson going about the affairs of the Nation; as an anarchist overturning the Statue of Liberty with the Kaiser applauding; as playing with the rattle of socialism as our soldiers marched by on their way "over there"; and as casting reflections upon our fighting forces. On Sunday after the President's telegram was issued a large picture of the President was shown with an assassin's hand about to stab him in the back. Of course, I was not named in this picture. The paper was too cowardly for that, but everyone understood what was implied.

There was no pretense of fairness on the part of either of the dailies. Columns were given to accounts of small meetings of my opponents. No notice was taken of important gatherings of my friends. Space was given to any cheap notoriety seeker who wished to denounce me. They made a distinct effort to connect the Department of Justice with my opposition. I regret to relate that no public discouragement of this effort was given by anyone connected with the department. An attorney connected with the department wrote and spoke against me. Always the papers quoted him as an official. The matter was brought to the Attorney General's attention but no public disclaimer was issued. An agent of the department used the color of his office in an effort to intimidate my friends. He is still in service and unrebuked so far as I know, although the facts were presented to the department by a formal complaint.

My opposition did not hesitate to desecrate the Sabbath itself. On Sunday before the election the regular Birmingham "community singing," attended by several thousand persons, was perverted by those in charge into what they called "a patriotic meeting." Speakers of my opposition exhibited an immense picture of the President and urged the people to stand by him. Programs were distributed carrying the President's telegram against me.

THE CRUELEST LIE.

Of all the falsehoods used by my opposition in the desperate effort to defeat me the cruelest was that I had not been the friend of the soldiers. I had served as a private soldier myself and had borne some of the hardships that the enlisted man must suffer, but that they dismissed as of no account. My vote against conscription they twisted into lack of regard for men

in service. The arguments which I had made in favor of the volunteer system they distorted as showing lack of respect for men forced into service. I stood pledged to vote for every measure which might improve the soldier's lot, better his equipment, increase his supplies, and care for his loved ones at home, but that they ignored. I had fought for free postage and better facilities for soldiers' mail; I had led the fight in behalf of equality of enlisted men with officers under the insurance and allotment laws; I had tried in many ways to help the soldier and better his pay and conditions—all of which they ignored.

I had helped thousands of soldiers' families to get their allotments, but my opposition counted it as nothing. They quoted isolated sentences from speeches made before the war, in which I criticized West Point and Annapolis and social caste in the Army as undemocratic, and tried to twist them into something unfriendly toward soldiers generally. They deliberately lied in charging that I had opposed the increase in the soldier's pay to $30, when, in fact, I had voted for the increase and had advocated an increase to $50. My sympathy for men in the ranks and desire to help them they willfully construed as insulting.

The desperate crew opposing me ransacked their silly brains to find something in my life which they might criticize. Nothing was too silly or too mean for them to try to use. They even descended to exaggerating the value of the property I had managed to accumulate by a lifetime of thrift and saving. With all their sifting the harpies could find no stain upon my integrity or moral character. With all my 20 years' active practice as a lawyer they could find no client who would say that he had been overcharged and no adversary who would claim that I had been unfair. They could find no one who I had overreached in business.

MY WELCOME HOME.

My duties detained me in Washington until a few days before the primary. I carried on my campaign as best I could; the great bulk of the work was done by the faithful friends composing my campaign committee, aided by a great number of others who were interested in my behalf. I went home a few days before the election. I planned to reach Birmingham at 7.30 on Thursday evening before the primary on the following Tuesday. My committee advertised my coming and arranged to meet me at the station and to hold a meeting subsequently in Capitol Park.

My train was late. It stalled on a hill 10 miles out. It has been charged that my enemies had soaped the track. A sworn statement to that effect was handed my chairman. I do not know what the facts were, except that the train was delayed for three hours. With the delay I had expected to get home unwelcomed and to find that the meeting had dispersed. But I did not understand. My train drew into the station; a dozen engineers pulled their throttles wide open. The train stopped; I alighted. All was noise and confusion. A multitude of torches were burning and cheers of welcome came from thousands of friendly throats. A crowd of friends swarmed through the station gates and over the tracks; I was their prisoner. A chair with carrying poles had been provided by the men from the railroad shops; I was placed in it willy-nilly. Sturdy shoulders bore me out. A procession was formed with a brass band playing in front, and down Fifth Avenue toward the park a cheering crowd of thousands surged, flags flying, torches burning. The scene was indescribable and unprecedented.

At the park another great crowd had assembled. With enthusiasm unabated they had waited for my coming until 11 p. m. Eight thousand chairs were filled, acres of people were standing. The assemblage was estimated at over 15,000 persons.

I spoke for 40 minutes. I was embarrassed for having been carried on the shoulders of my friends. I apologized for it, saying that I realized that the tribute of the welcome I had received was not called forth by any quality of my own, but was in fact merely an evidence of the sense of justice of my supporters, who realized that I was being persecuted because I was their friend and that they had carried out the demonstration to show that they did not intend to allow the wolves that were snarling at my heels to drag me down. The vast audience shook with excitement and enthusiasm. My lightest remarks were wildly applauded. The occasion was an overwhelming exhibition of the determination of my supporters.

At the close of my speech I shook hands with thousands of my friends. It was 1 o'clock when I reached my hotel. A dozen strong-armed friends stuck close to the very last. I did not understand at the time. They feared I would be assassinated.

THE PRESIDENT'S INTERVENTION.

The great welcome given me on my return home filled my opposition with dismay. The hope to defeat me went glimmering. They realized that the single chance remaining was to induce the President to interfere. Previous efforts of my opposition to entangle him in my campaign had failed. Made desperate by the welcome given me, they roused to a final effort. Various telegrams were sent to the President. I have been unable to learn definitely what statements they made. I do know that false statements as to my attitude were made. The President was basely deceived. However, the foul tactics of my opposition prevailed—the intervention came.

About 5 o'clock on the day following my return home the newsboys cried an extra, "President denounces HUDDLESTON." The President's telegram had just been received. It was addressed to Glass, editor of the News, who gave it to the public first in an extra of his own paper. Under a scare head on the front page, "Stand by the President," with his picture, almost life-size, the message was printed:

FRANK P. GLASS,
Birmingham, Ala.:

Your message received. I do not feel at liberty to make any discrimination between candidates equally loyal, but think I am justified in saying that Mr. HUDDLESTON'S record proves him in every way an opponent to the administration.

WOODROW WILSON.

The message was followed in big type by—

A vote for HUDDLESTON is a repudiation of President Wilson and his administration. A vote against HUDDLESTON is an indorsement of President Wilson and his administration.

The telegram was the sensation of the hour. The extra edition of the News was sold quickly. Men gathered in excited knots to discuss the latest news. All was confusion and uncertainty. The President of the Nation had spoken. He had in substance expressed his will that a Member of Congress should be defeated for reelection. Men wondered what would be the result.

I had an engagement to speak that night in the city park at Bessemer. On reaching the appointed place I found an audience of about 6,000 gathered. No such assemblage had ever before gathered in that young city. I spoke for over an hour, relating what I had done in the performance of my official duties and telling of the fight being made against me. I read the President's telegram—many of the audience had not heard of it. I explained what my attitude in Congress had been, and charged that the President had been misled by false friends into sending the telegram. My speech was enthusiastically received. At its conclusion some one in the audience handed up to the chairman a resolution:

We, 2,000 voters in mass meeting assembled at Bessemer, Ala., do hereby resolve as follows:

That we have the greatest confidence, respect, and love for our great President, the Hon. Woodrow Wilson; that we are with him and will continue to support him in this great hour of our Nation's great trial to a final victory. That we have the greatest respect, love, and confidence in our Congressman, the Hon. GEORGE HUDDLESTON; that we are with him; that we do hereby express our confidence in him. Be it further

Resolved, That the chairman of this meeting is hereby instructed to wire a copy of this resolution to our great and beloved President, the Hon. Woodrow Wilson.

The chairman read it to the assemblage and it was adopted with a unanimous shout.

Of course, I was amazed by the President's intervention. I did not know how the people would accept it. I resolved from the first instant that it should not alter my course; but I knew that my constituents are among the most loyal and devoted people in America, and I could not foresee just what they would consider to be their duty under the circumstances. The reception of my speech and the adoption of the resolution left no doubt on that point. I knew that my renomination was assured.

The following day—Saturday—was spent by my opposition in a strenuous effort to stampede my supporters. The dailies tried to bully me into withdrawing from the contest and printed statements from the weak-kneed few of my supporters who could be induced to say that they had been changed by the President's telegram. Committees of prominent business men went up and down the streets trying to intimidate my friends; smaller business men were threatened with boycott if they continued to support me; hectoring, bullying, and shameless lying were freely indulged. The timid and wabbly, the neutrals, and undecided went over to my opposition. Perhaps I lost 15 to 20 per cent of my strength by reason of the President's intervention; but the bulk of my friends stood like iron and took even a more aggressive position than they had occupied. That night I spoke in Ensley to an enthusiastic audience, reduced in numbers because the meeting was in the open air and it was raining.

Monday, the final day before the election, was filled with excitement. The streets were crowded; interest reached to fever heat; happily disorder of more than a minor nature was averted. On Monday night we held a final meeting at Capitol Park in Birmingham. Again the enthusiasm was at the boiling point; more than 15,000 were assembled; the scene was indescribable.

My friends had come from the remote parts of the county to show their interest. It was obvious that my opposition had failed, that the President's message had not turned the tide, and that it was merely a question of my majority.

REASONS FOR INTERVENTION.

The real reasons which impelled the President to intervene in the campaign in my district I can not surmise. My efforts to learn them have been without effect. On Saturday morning after his telegram was sent I wired him, stating that my friends believed that his intervention had been procured by misrepresentations and asked as an act of justice to my constituents and to me that he disclose the representations which induced him to send the telegram. I received no reply until late on the afternoon of election day, when a message came from the President saying that he wished to do no injustice and that he desired that my constituents should judge me by my record. This was the only satisfaction I got. It came too late to be of service.

A few days later a newspaper writer issued a syndicated article, purporting to be inspired, which undertook to explain the causes which led the President to intervene in several campaigns. By that article I was inferentially charged with being a "reactionary southern politician," with having in my committee tied up important legislation, and with hypocrisy in pretending to my constituents that I had been an administration supporter. This article merely added insult to injury.

Of course every Member of the House knows that I had not been an opponent to the administration. I had voted against conscription, the espionage law, and two or three other minor so-called administration measures. I had voted for more than 100 administration measures in support of the war. Every member of my committee knows that I have never in the least obstructed administration measures before it, but have usually supported them.

I had stated my position frankly to my constituents. I had issued a formal campaign speech and sent a copy to each voter in my district saying on this point:

Of the dozens of measures relating to the war, either directly or indirectly, in only three have I voted against what was reported as the judgment of officers of the administration. Those three are the conscription bill, the espionage bill, and the explosives bill. I challenge my critics to show to the contrary. I have been willing to vote for every soldier, every ship, and every dollar needed to carry on the war.

I will be frank. I have voted for the measures proposed, not because some officer of the administration advised it but because they met the approval of my judgment. I have not been a rubber-stamp Congressman, but have tried to weigh patriotically every measure presented and to vote for the best interest of my country. It is I who am Congressman. It is I who took the oath of office. It is I who must face my conscience and my Maker. And always I have felt that I must make the final decision for myself. For this frame of mind I offer no man an apology.

In view of the indisputable facts, the conclusion is irresistible that the President did not intend his telegram to be accepted literally. It was to be taken merely as indicating his desire for my defeat. It is clear that he was brought to that decision by the powerful influences in and out of my district which were opposing me. I have no doubt that the President was basely deceived by pretended friends. My feeling on the subject was expressed in an interview which I gave on the morning after the election.

I do not accept the result as a rebuke to the President; it is instead a stern rebuke to the vindictive and unfair opposition. It is not wholly a personal tribute to me. I accept it as an evidence of the instinctive love of the great masses of the people for justice and the square deal. My constituents know that I have served them honestly and faithfully and that I am patriotic and devoted to duty. Such of them as think that I have made mistakes are ready to forgive them, realizing as they do that I am honest and try to be a true representative.

The President's intervention shall not incite me to antagonism. I shall show no petty spirit of revenge or opposition toward him. To the contrary, I shall continue to cooperate with him conscientiously in every effort to win the war and preserve American honor and interest.

I am conscious that I have been done a cruel injustice, but that consciousness has not and shall not in the least affect my official action.

THE AFTERMATH.

In my after-the-election interview, I said:

I am not puffed up by my success, but accept my victory in deep humility. It has been made possible by the loyalty and devotion of my friends.

I trust that the feeling created by the bitter and unfair attacks upon me will soon pass. I am anxious to be the representative of the whole people of my district and to work with all for its material interests consistently with the public welfare. I beg for the future a more friendly spirit of cooperation upon the part of the elements which have recently opposed me. I am praying that the methods which have characterized the campaign will never be repeated in my district.

My victory was complete. Despite the fact that I had two popular opponents who had the support of the daily papers and of the big business and financial interests, I received 60 per cent of the total vote. I was willing to let bygones be bygones. Not so my opposition. The daily papers accepted the result of the primary with exceedingly bad grace. The Ledger blamed it on the bitter attacks which had been made on me; the News complained that the result was due to the weakness of my opponents; the Age-Herald called the result a "grievous mistake," and urged that preparations be made for the next campaign. There was growling, long and loud, among those who had sought to do me to political death.

The Republicans of my district thought to take advantage of the Democratic row. A cunning politician was nominated against me. He wheedled the Republican Congressional Committee out of $1,000 for his campaign fund, and collected a considerable amount from captains of industry and my disgruntled opposition. He endeavored to take up the campaign against me where it had ended in the primary. His methods were, if anything, more unscrupulous than had been previously used. The Ledger and News were neutral. The Age-Herald encouraged my opponent and gave him columns of space in which to exploit himself. It was happy to give big headlines to my critics, no matter how petty and mean the criticism. Numbers of the big business men who had opposed me in the primary allowed their names to be used as a campaign committee for my Republican opponent. I paid no attention to their campaign, and did not spend a dollar in the election. The result was that, while the vote was quite light, my Republican opponent received only 14 per cent of the total. And thus this chapter ends.

This chapter ends with disaster to my opposition, but I do not assume that I am to have peace. I would gladly represent the big business interests along with the rest of my constituents, but I will not be their tool nor submit to their dictation. I will represent them only upon my own terms, which are that the rich and powerful must stand upon equal footing with the poor, and that the welfare of my country must be supreme. I will be the Congressman, and the final decision must be mine. I will guide my actions by the standards of patriotism and not of sordid dollar grabbing.

I do not expect my opposition to accept me on these terms. They will continue to assail me so long as there is hope for success. But I face them without fear in my soul. I will not flinch nor ask quarter. I will not be swerved. I will not be bullied out of public life by them. Their vicious political methods shall not drive me from office. When I go it will be from my own desire or because of the will of my people.

Conscientious Objectors.

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MASON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MASON. Mr. Speaker, I insert here the following memorandum in refutation of the charge that conscientious objectors have been treated with leniency, furnished me by the National Civil Liberty Bureau, of 41 Union Square, New York.

The matter referred to is as follows:

The charge has been made that conscientious objectors in this country have been treated with undue leniency. What are the facts? Actually there are authentic, undenied statements of cases on record where conscientious objectors have been beaten, prodded with bayonets, immersed in filthy latrines, held for periods of from 15 to 45 minutes under cold shower baths, fed only bread and water, and placed for long periods in solitary confinement.

At the United States Disciplinary Barracks at Alcatraz Island, Cal., four religious objectors—three Hofer brothers and Jacob Wipf—were placed in a perfectly dark dungeon where water seeped in from the sea, their outer clothing being removed, and where they were fed only small amounts of bread and water. At the end of the fifth day they were removed by the recommendation of the medical examiner and placed in isolation. Later they were transferred to Fort Leavenworth, where they were at once placed in solitary confinement. Two of the Hofer brothers died of pneumonia within 10 days of their arrival at Fort Leavenworth. The body of one of these men was sent home dressed in the military uniform of the United States

Army, although he had gone to prison because of his refusal to wear this uniform.

At Camp Funston a group of conscientious objectors for six weeks were put through a course of the roughest sort of hazing and brutality. They were not allowed to communicate with anyone during this time, and were subjected to physical coercion—struck with whips and dragged about with ropes, etc. (see Exhibit A, annexed hereto). Other undenied stories of brutalities have come from Camp Sherman, Camp Meade, Camp Wadsworth, Fort Jay, Fort Riley, and numerous other cantonments (see Exhibit B, annexed hereto).

Finally, over 500 objectors were sent to the military prison at Fort Leavenworth, with sentences ranging from 5 to 40 years. Here some of the objectors who refused to fall in line with the military discipline were kept for over nine weeks in solitary confinement, during most of which time they were manacled, standing to the bars of their cells nine hours a day, every alternate two weeks being spent on a diet of bread and water (see Exhibit B, annexed hereto). This was done with the express authorization of the War Department, as was tacitly admitted in Secretary Baker's order of December 6, abolishing manacling.

Yet, in spite of these facts, charges are brought that the War Department discriminated in favor of conscientious objectors. The explanation of this is to be found in the policy adopted by the War Department. It is true that the War Department did issue a confidential order providing for conscientious objectors, thereby giving color to the charges of special leniency. But in practice this policy worked out both to the disadvantage of the Army and the unnecessary and brutal coercion of objectors. It was the policy which sought ultimately to deal with conscientious objectors as a problem of military discipline. The officers in charge of these men found themselves forced to treat as soldiers men who were determined at all costs not to accept that status. The inevitable result of this policy was the coercion of objectors. Any other result under the circumstances would have meant that both officers and objectors were more than human.

In the case of objectors who were finally court-martialed the War Department has insisted upon treating these men as individual recalcitrant soldiers. This has resulted in the fact that to-day many of them have been released on one pretext or another, while others, actually no more radical in their protests against military service, are still in prison.

A further result of the War Department's policy has been that all objectors released from military prison have practically been forced to accept back pay as a condition of their discharge. This has served to discredit men who while in camp refused to sign the pay roll and so had back pay credited to them. According to a recent statement of the War Department, however, over $5,000 of the pay thus given to objectors has been returned direct to the Department.

Conscientious objectors have been sentenced by courts-martial to prison terms of exceeding severity. The War Department has announced its policy of reviewing each individual case with a view to possible clemency. This policy seems another mistake, because all of these men are imprisoned for the reason that their consciences upon one ground or another forbade their becoming a part of the military organization. Their cases all have the common basis of conscience and all have shown their sincerity by endurance of severe punishment. If one should be freed, all should be freed. If any are to serve out their sentences, all should. Their prison terms are the unhappy by-product of a military system essentially inconsistent with American democratic ideals, and which was created for the purpose of serving the country in a particular crisis. The crisis is now over and their release becomes now not a matter of clemency in individual cases but a matter of ordinary democratic justice.

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EXHIBIT A.

REPORT OF TREATMENT OF CONSCIENTIOUS OBJECTORS AT THE CAMP FUNSTON GUARDHOUSE.

THURSDAY, *September 5, 1918.*

Seven conscientious objectors arrived at the military police guardhouse from the guardhouse at Riley.

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SATURDAY, *September 7.*

We were ordered to fold our arms and stand at attention by the officer of the day, Capt. Buckley. Failing to comply with this order, he proceeded to abuse and insult us, referring to those of Jewish birth as "damn kikes," etc. He then had our beds and blankets taken from us and ordered that we be given raw rations—pork and beans—which we were to cook in the latrine, if we wanted to eat. He suggested to the prisoners that they beat us up. We had no supper and slept on the bare floor in our clothes.

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SUNDAY, *September 8.*

Very little sleep was had because of the extreme chilliness of the night.

No other provisions having been made for the preparation of food, we ate nothing on this day.

We again slept on the bare floor without blankets.

—

MONDAY, *September 9.*

Food conditions remained the same until supper when we were informed that a kitchen for preparing our food would be furnished us if we would do our own cooking. We were able to prepare supper. Upon returning from this meal we were informed that henceforth we would be given bread and water only. Upon this fare we continued until September 15.

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SATURDAY, *September 14.*

Col. Barnes, the provost marshal, called at the guardhouse. He ordered us to stand at attention, and when we refused to comply he proceeded to kick the legs of the men. Kaplan had his legs and ankles bruised as a result. Upon leaving he hinted to the prisoners that he would be tempted to pardon them if they would beat us up.

—

MONDAY, *September 16.*

We were again placed upon bread and water diet. This continued until the following Sunday, September 22, on which day we had regularly prepared meals, so that between September 7 and 22 we had only two days of regular rations.

MONDAY, *September 23.*

We were ordered to stand at attention by the incoming officer of the day and upon refusal we were told that we would be taken out every two hours during the night. This procedure was inaugurated that very night when we were awakened at these periodic intervals, taken out and kept out a while and sent back to bed.

—

THURSDAY, *September 26.*

While walking about in the courtyard the men were kicked and shoved about for not obeying an order to walk in prescribed military fashion—Kaplan and Breger being the particular targets.

In the afternoon Larsen was brutally assaulted, being choked, his head banged against the wall, and dragged around the room, by the sergeant of the guards for refusing to clean quarters other than our own.

—

FRIDAY, *September 27.*

Again, while exercising, the men were grossly maltreated. The bayonet was applied to all of us—Larsen receiving a scar. Kaplan and Breger were beaten with the butt end of the rifle. All were kicked and shoved about.

Eight conscientious objectors came here from Fort Riley guardhouse.

After supper we were ordered outside where we formed in double rank. The sergeant of the guards issued some military commands to us. When we did not obey promptly he shoved us about violently. We then began marching around the building. Orders were given to "double time." Bayonets were pressed against the bodies of Larsen, Silver, and others to obtain compliance, but no one ran. The guards now insisted that we walk in strict military posture, and cuffs, kicks, and blows were rained upon those who failed to do so. Eichel refused to submit to this abuse and informed the guard that since in his opinion exercise was optional with conscientious objectors he would march no more under such brutal impositions. A guard seized him by the neck and forced him around the building, heaping blows and kicks upon him at the same time. When he was finally released the back of his head was covered with bumps and he was sore all over.

At about 9 that evening we were again ordered out and again put through the same ordeal. This time Steiner ceased walking. He was seized by the ears and dragged around the building. Another guard after a while seized him by the throat and choked him so forcibly that he sank breathless to the ground. Steiner reported his treatment to the officer of the day, a second lieutenant, who refused to give his name and who insisted that he was carrying out orders.

We were informed that we would be called out every two hours. At 11 p. m. we were awakened and ordered out. We refused. It was debated whether or not to forcibly drag us out. They finally decided to leave us alone. However, none could sleep, for the thought that we might be roused any moment kept preying upon our minds.

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SATURDAY, *September 28.*

At 8.30 p. m. the sergeant of the guards ordered us out. Expecting a repetition of yesterday's affair, especially so since the sergeant was a veritable brute, we refused. Kaplan, half undressed, was the first to rouse his venom. He was lifted bodily off his bed and thrown headlong through the door. He was dragged back again, lifted off his feet and thrown against the bedstead so forcibly that his skull might have been smashed. He was then ordered to put on his shoes. He refused. The sergeant seized him and put him out barefooted. The other men were similarly handled. When we were finally lined up outside, the sergeant following us out—and never did man gloat so over his accomplishment—he remarked that he was carrying out the major's orders, meaning Maj. Taussig, the military police officer. After marching around a while we were permitted to return to quarters. Threats of subsequent and periodic repetition of this treatment again had the effect of keeping us awake and expectant all night.

The instructions that conscientious objectors are to be permitted to exercise is being utilized as a means to impose hardships upon us. We are kept outdoors in all sorts of weather, from six to eight hours each day, and the guards are instructed to see to it that we keep moving continually. This is a source of constant irritation and friction between us and the guards, for some of us find it physically impossible to keep walking all day.

Our corresponding privilege has been restricted to one letter a week. The letter must be written upon one side of one small sheet. Its contents are subjected to careful censorship.

A general and thorough raid was made upon our quarters for books, magazines, and any other reading matter.

All prisoners were ordered to take a cold shower.

—

FRIDAY, *October 4.*

Orders were issued that conscientious objectors are to be given but one helping of food and "d—— little at that." Not even an extra piece of bread is allowed us. We are kept hungry from meal to meal.

—

SATURDAY, *October 5.*

We were ordered to take a cold shower. Da Rosa, feeling that cold showers are detrimental to him, and having taken a bath but one-half hour previous to the issuing of the above order, refused to undress. The corporal of the guards thrust him under the spray with his clothes on. Da Rosa returned to the guard room, wearing his dripping clothes. The corporal ordered him to undress and take a thorough shower. When Da Rosa again refused, the corporal tore his clothes from his body and at the same time delivered upon him some telling and effective blows. He was then placed under the cold shower.

We were compelled to take a cold shower once in the morning and once in the afternoon. A guard stood watch and checked each man.

—

SUNDAY, *October 6.*

In the afternoon, Sandin collapsed while taking his second cold shower of the day. We explained to the doctor who called, the nature of the treatment we had been receiving lately. We also informed him that we were being underfed.

The captain, who was "officer of the day" ordered that we be deprived of supper because we did not stand at "attention" at roll-call.

At midnight we were suddenly and unexpectedly roused by the sergeant of the guards and ordered to take a cold shower. It was obvious that this was an unreasonable and vicious imposition and most of us refused to get up. We were then violently dragged into shower room and held underneath the spray, night clothes and all,

thoroughly exhausted. Kaplan, Breger, Block, Powell, Franklin, Eichel, Downey, Steiner, and Da Rosa were so treated. The "officer of the day" was present and directed the proceedings.

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MONDAY, *October 7.*

Greenberg, Block, Bernstein, and others have gone on sick report this morning, suffering from colds. Block and Bernstein were given asperin tablets to make them perspire. Though the day was rainy and damp, all hands were ordered out for exercise. We were kept outside in the drizzle, until ordered to come in for a cold shower. Even those who had taken asperin tablets were not excused from the prescribed bath.

Breger, Monsky, Ott, Silver, Da Rosa, Block, and Eichel have already declared an absolute hunger-strike as a vehement protest against this treatment.

Another cold shower was administered to us in the afternoon. At 8 p. m. the "officer of the day," a captain, and the sergeant of the guards ordered all to undress in the squad room and prepare for a cold shower, the third that day. We were marched to the latrine in a body. The captain himself brought forth scrub brushes, used ordinarily for cleaning toilet seats and brooms used for sweeping, and ordered that we scrub each other with them. Franklin refused to use the filthy brush. He was seized and roughly thrown to the cement floor, dragged back and forth and viciously belabored until thoroughly exhausted. He was then placed under the cold spray and left there until he collapsed. Eichel and Shotkin helped him back to his bed. When he recovered he became hysterical.

The captain wished to know what had happened. Eichel explained that Franklin was suffering from myocarditis and the constant and frequent impositions of cold showers had in all probabilities aggravated this ailment. Eichel then requested the captain to permit him to see the post commander. This the captain refused to do, although he told Eichel that he was carrying out the instructions of the post commander in treating us so.

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TUESDAY, *October 8.*

Franklin, Sandin, and Hennessey have joined the hunger strike as protest against our inhuman treatment.

At about 8 p. m. the order was issued to prepare for a cold shower. Monsky informed the captain, who directed proceedings that he would not undress. The captain ordered a guard to undress and keep him under the shower twice as long. The sergeant of the guards timed everyone. Monsky was kept under the spray an unusually long time. He finally heard the captain say, "If he suffers, keep him there; but if he isn't suffering let him go."

Franklin, because of his collapse the previous evening, was given an extra dose and again collapsed. Eichel again requested to be permitted to see the post commander and again was refused.

Quite a few of the men, thoroughly chilled by the shower, had gone to bed to warm up. "Attention" was suddenly called and those in bed were dumped by the guards and dragged to their feet. Half naked the guards proceeded to place them in military posture. Towels, socks, and ropes were utilized to tie their hands in proper position. Then the captain addressed us. "How many of you will now become sensible objectors and go out to do some work this afternoon?" Receiving no favorable response he said tersely: "All right, another cold shower at 10.30 a. m."

We were then ordered to dress and go out for exercise. Quite a few refusing to do this were rudely dressed and dragged outside.

Promptly at 10.30 o'clock we were ordered in for our cold shower. Monsky, Block, Breger, Franklin, and Eichel, feeling that this was unquestionably punishment for their refusal to work, refused to undress. They were taken to the shower room in their clothes. There Eichel was again ordered to undress. When he refused, a corporal slapped his face vehemently and dragged him back to the squad room. There the order was repeated, and when Eichel maintained his attitude the corporal belabored him viciously with slaps across the face and blows upon the head. He was taken back to the shower room, and he as well as the others who had refused to undress were placed and kept underneath the spray in their clothes.

Henessey had undressed for the shower and had stepped underneath. No one was paying any particular attention to him. Suddenly he emitted a wild shriek, began tottering and swinging aimlessly. If some one had not grabbed him instantly, he might have dashed his head against the cement. He was carried to his bed, all the time maintaining his wild cries. Presently his struggles subsided and he remained in a state of coma for almost an hour. No doctor was sent for. Ott now asked permission to see the post commander, and was given the expected response.

Those who had taken the shower in their clothes undressed and went to bed. At about 2 p. m. the order came to get out for exercise. The wet clothes were put on the men and they were thrust outside. We were walking around when the corporal informed us that the major (Taussig) had ordered that we walk more rapidly. Franklin attracted the guards' attention first. He was rushed violently against the wire fence, thrown to the ground, and his head banged against the rocks. Monsky next received the brunt of attention. The corporal and guard pommeled, shoved, and abused him. A group gathered to watch the spectacle. Amongst the latter were some friends of the active guard. To please them, he seized Monsky from behind and ran him around the inclosure. Then, acting upon the suggestion of one of the spectators, he deliberately strove to step upon Monsky's bare feet. The latter succeeded for a while in thwarting him, but the inevitable happened and Monsky sank to the ground in agony. His ankle had been sprained.

This cowardly act completely unnerved Breger. "Hurray! Hurray for our brave American!" he yelled, and clapped his hands vehemently in applause. He was stopped, but he no longer was master of himself. He stopped, took off his shoes and exclaimed, "Here, do the same to me and show your bravery!" He walked on a while and suddenly let forth an uncanny yell and fell to the ground. He struggled painfully, all the time maintaining his gruesome cries. His struggles ceased finally and amid jeers of "He's all right" he was raised to his feet. Monsky in the meanwhile had been dragged all over the ground, his clothes torn from his body, and was practically unconscious.

The "officer of the day" now came upon the scene. He ordered those who would not walk to be placed in solitary confinement on bread and water. Breger and Monsky were the first to be punished. Eichel discontinued walking. He was dragged around a while and then placed in solitary confinement on bread and water. Steiner now refused to walk, and he, too, was placed in solitary. Silver next attracted the guard's attention. The doctor had come, and Silver informed him that since he had not eaten for two days his physical condition would not permit his exercising, and hence he would walk no more. He was ordered back into the ring by the "officer of the day," and when he refused a guard seized him and threw him to the ground. He then lifted him by the legs, to the intense delight of the spectators, and banged his head against the ground. This act was repeated a number of times. Then Silver, thoroughly shaken up, was placed on the restricted bread-and-water diet.

Breger, in the squad room, again gave vent to the wild paroxysms. His cries and intense internal struggles continued intermittently for over an hour.

—

WEDNESDAY, *October 9.*

Steiner joined the hunger strikers because he had been placed on bread and water.

Eichel was undressed and given a cold shower.

Col. Barnes, the provost marshal, called while some of the objectors were taking their enforced exercise. He ordered them to stand at "attention." When they refused, he beat them vigorously with his heavy riding crop. Shotkin was badly hurt, the colonel breaking his crop over the former's ankles. He deprecated the ruining of his stick and implied that the only reason he did not brain Shotkin was that he wasn't worth the trouble. He then addressed the men before him. "You have declared a famine strike on me. Well, the Third Assistant Secretary of War, your friend, knows it and has instructed that I permit you to starve to death."

Shotkin, limping, returned to quarters. A guard straightway ordered him outside. Shotkin insisted that he could not walk and demanded medical attention. Though the doctor was in the room at the time, no treatment was given him. On the contrary, though suffering intense pain, he was dragged outside and two guards pushed him around the inclosure.

Steiner was dragged from his solitary cell and ordered to walk. Failing to obey, a guard seized him by his fingers and dragged him around. Steiner suffered intense pain, for the slightest resistance on his part meant the pulling of his finger out of joint.

After supper two slices of bread were given to those who were presumably on bread and water, despite the fact that every one of them was on hunger strike. The sergeant informed them, "Not a d—d drop of water do you get until this bread is consumed."

—

THURSDAY, *October 10.*

Ott and Da Rosa, both materially weakened by their hunger strike, were forcibly dressed and put on exercise in the afternoon.

Ott was shoved around a while and then left unmolested.

Da Rosa was pushed about, then thrown to the wet ground, punched, kicked, and spat at by the guards. He was raised to his feet and dragged around some more. Presently he was dropped and one guard seized him by the hair and rubbed his face in and banged his head on the ground. His cheek and forehead were bruised, leaving two ugly skin wounds.

Then four guards carried him to the shower room, stripped him of what little clothes remained on his person, placed him on the cold cement floor in an exhausted condition, and turned the cold spray upon him. The soldiers then scrubbed him viciously with filthy brushes and brooms. One guard tickled his feet. He was finally brought back to the squad room in a semiconscious state.

Downey, Brandin, Bernstein, and Kaplan, feeling they could not conscientiously continue eating while their fellow conscientious objectors were being so brutalized, joined in with the hunger strikers.

—

FRIDAY, *October 11.*

Brandin, because of extreme weakness, was unable to walk. A guard pricked him with a bayonet, and then the sergeant of the guards himself pushed him around.

—

SATURDAY, *October 12.*

In the afternoon all the men, regardless of their physical condition, were ordered to dress and go out for fresh air. Those who refused were forcibly dressed and thrust outside. The men, because of their weakened state, sprawled all over the ground, while groups of spectators watched the miserable and sorry sight. At various times during the afternoon Block, Breger, and Silver collapsed from total exhaustion.

After supper the men were taken out of the solitary cells and returned to the regular squad room.

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MONDAY, *October 14.*

Maj. Taussig, accompanied by another major, who introduced himself as our investigator, came into the room in the morning. The latter gazed sneeringly and insolently about the room and without much ado dismissed most of the men from his mind as "Russian foreigners." His questioning was confined for the most part in ascertaining the birth and nativity of the men and establishing them as "Pro-Germans and members of Von Ludendorf's third division." He finally asked, with studied irony, whether any man was in danger of losing his reason or even his life. His final remark was, "There isn't a single American in the crowd."

Our writing tablets and what little money was in our possession were taken from us. A special guard was placed over us.

—

TUESDAY, *October 15.*

Silver was examined by the doctor, and it was apparent that his condition was very poor. He was hardly able to get out of bed. In the afternoon he was taken out of our squad room and placed in a solitary cell.

—

THURSDAY, *October 17.*

The men felt that the hunger strike had accomplished its purpose, in that brutalities had been discontinued for the past few days, and decided to eat supper. Bread and milk was given us to break our fast.

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FRIDAY, *October 18.*

Black coffee and bread was sent us for breakfast. Such food at this time most of us felt was actual poison for our systems. Hence, with one or two exceptions, we declined to eat this repast. No other food was furnished us.

SATURDAY, *October 19.*

Immediately after breakfast Eichel was viciously and suddenly struck two stinging blows in the mouth for failing, through no fault of his, to properly "cover off" for count.

Later, Ott and Eichel were ordered to clean the latrine by the sergeant of the guards, and when they refused the former slapped, punched, and shoved them violently against the wall and other projections.

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MONDAY, *October 21.*

The major who made the perfunctory investigation Monday, October 14, returned and began calling each man to explain the mistreatments he had experienced and witnessed.

We wish it known that during this tense period we were held absolutely incommunicado. Packages containing food and delicacies, sent us from home at a great expense of time, money, and sentiment, were viciously and wantonly destroyed and their contents dumped in the garbage cans, though we had at no time been told that we could not receive such packages.

The above is only a brief summary of the atrocities perpetrated upon us. The situation can never be described with sufficient vividness and intensity to impart to the authorities a real impression of the mental and physical anguish suffered by us. Most of the mistreatments took place outside, with large groups watching the sorry and revolting spectacle of defenseless men being most brutally punched, shoved, and abused.

While we do not wish to impugn the motives of the investigator we have reason to believe, because of his own statements and his obviously antagonistic attitude, that the report of his investigation would be prejudiced and not strictly in accordance with the fullest testimony of the men. We therefore feel justified in submitting this report, which we are willing to affirm under oath, merely as a confirmation to his report.

The men reached the guardhouse at Funston on the following dates, and went through the above experiences from the day of their arrival:

September 5.—Bernstein, Breger, Greenberg, Kaplan, Henessey, Larsen, and Powell.

September 27.—Downey, Eichel, Franklin, Ott, Sandin, Shotkin, Silver, and Steiner.

September 30.—Block, Da Rosa, and Monsky.

October 8.—Brandin.

A copy of this report has been given to the investigator.

We, the undersigned, consider the above a fair and accurate account of our treatment at the military police guardhouse of Camp Funston, Kans.

Morris Franklin, Thomas Shotkin, Herman Kaplan, Lester G. Ott, Joseph Brandin, Ulysses Da Rosa, Mayer Bernstein, Henry Monsky, Max Sandin, Emanuel Silver, Benjamin Breger, Rexford Powell, David Eichel, Julius R. Greenberg, Chas. P. Larsen, Francis Steiner, Francis X. Henessey, and John Downey.

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EXHIBIT B.

POLITICAL PRISONERS IN FEDERAL MILITARY PRISONS—MEN, STRIKING IN PROTEST AGAINST THE TREATMENT OF FELLOW PRISONERS, ARE MANACLED IN SOLITARY CONFINEMENT IN DARK UNDERGROUND CELLS ON A DIET OF BREAD AND WATER—IT IS ONLY A QUESTION OF HOW MANY DAYS THEY CAN LAST BEFORE PHYSICAL OR MENTAL COLLAPSE PUTS AN END TO THIS PHASE OF THEIR SUFFERING.

The National Civil Liberties Bureau has come into possession of information regarding conditions in the military prisons of the United States which it believes it would not be justified in withholding from the public. These prisons, called "disciplinary barracks," are located at Fort Jay, Governors Island, N. Y.; Fort Leavenworth, Kans.; and Alcatraz Island, San Francisco Bay. Concerning the last-named prison we have at present no information. The other two are fairly well run as prisons go, with the exception of the form of punishment for recalcitrant prisoners, which consists of solitary confinement in dark cells, manacling, and a diet of broad and water. The conditions are described in the following documents. Primarily this protest has nothing to do with the offence for which the prisoners were sentenced. The first point is that torture inflicted upon any prisoner for any reason is as stupid as it is wicked and abhorrent to the American spirit. The second point is the justice of a distinction between political and criminal offenders.

I. STATEMENT OF CONDITIONS AT FORT JAY ON AUGUST 20, AS REPORTED BY DR. JUDAH L. MAGNES AND MR. JOHN S. CODMAN.

AUGUST 27, 1918.

Mr. John S. Codman, of Boston, and I went to Governors Island on the 3.15 boat and returned on the 6.30 boat.

Maj. Ward received us very courteously, and gave us every opportunity to interview the three conscientious objectors, and to examine the conditions under which they are now imprisoned.

He took us to the cells where Sterenstein and Eichel are in solitary confinement. These cells are on the top floor of the prison. Maj. Ward informed us that most solitary confinement cells are in the cellars of prisons. He gave Mr. Codman later the dimensions of these cells. They are small and all but completely dark. Light and air come in from a very small opening on the top, and through a small iron grating (in the door). Maj. Ward informed us that in many solitary confinement cells there is only the opening at the top. The door of Sterenstein's cell was opened first. We found him with his wrists shackled to the iron bars of the small opening in the door. He was in his undervear and in bare feet. There was no pail in his cell. The only thing in the cell was a blanket. When Eichel's cell was opened we found him shackled in the same way to the bars of the grating in the door. He was in his underclothes and had on one stocking. There was a pail in his cell.

Maj. Ward explained to us that they were sentenced to solitary confinement for refusing to work and obey prison instructions. (Such refusal to work will be found throughout these documents to be one of the chief sources of difficulty between the conscientious objector and the military. To the average reader it may seem difficult to understand and quite indefensible. The objectors' position may be clarified by the following explanation: (1) In certain cases the objectors felt that the work assigned to them amounted to the noncombatant service which they had refused in the first place because it relieved other men to do the very work in the Army to which they were conscientiously opposed. Other objectors considered that the mere acceptance of work under military orders was a recognition of the whole principle of conscription which they are convinced must be everywhere condemned before the world can ever become safe for real democracy. (2) At Fort Leavenworth all but a few of the objectors had consented to work, but a number finally ceased working, not so much because they were opposed to the work itself, but because such a stand was the only effective way by which to register their protest against the brutal treatment of fellow prisoners in solitary confinement. Rather than acquiesce in such wrong they would share their suffering.) They were shackled to the bars of the grating from 7.30 a. m. to 11.30 a. m. and then from 12.30 p. m. to 4.30 p. m.—the theory being that this is equivalent to an eight-hour working day. They are given two slices of bread three times a day and a pitcher of water three times a day. They are given no water with which to wash. If they wish to wash they must use some of their drinking water. They are not permitted a tooth brush. They are taken on Saturday night and given a shower bath.

"After 14 days of such confinement the prisoners are released into the prison yard for 14 days. They are given raw food, an ax for chopping wood, cooking utensils, and shelter at night. Otherwise they are regarded as men on a desert island, bound to shift for themselves. If after these 14 days of desert island life, they are still unwilling to yield their conscientious convictions, they are placed in solitary confinement again for another 14 days. This can go on indefinitely for the term of 20 or 30 years to which these men have been sentenced or until they are broken, either physically or mentally.

"We were then shown into the chaplain's office by the major, who said that we might interview each of the three prisoners separately, provided that we would give them nothing nor in any other way break the prison rules. We told him that we were particularly anxious to question the men as to the attitude of the board of review toward them.

"Robinson was the first prisoner admitted. He was not in solitary confinement, having served his 14 days. He was now undergoing the desert-island treatment, and had been for a few days. He had a healthy color and clear eye. He answered all of our questions simply and in a straightforward and in almost an objective way. We told him, as we did the others, that we were members of the National Civil Liberties Bureau, and that Mr. Baldwin had reported on their status from time to time; that we were interested in the general problem of conscientious objectors and that we had come to ask them particularly as to the attitude of the board of review. Robinson said that the board of review had interviewed him for only a few minutes, perhaps two or three, and that after that interview had declared him to be insincere. They regarded him as insincere because, so he thought, when they asked him if he would shed blood in self-defense he answered that he did not know what he would do under such circumstances. He said that he had not received any official notice as to what his sentence was, but that he had been informed through newspaper reports that he had been first sentenced for life and that then his sentence had been reduced to 20 years. He was a conscientious objector from every point of view—from the religious, the humanitarian, the political, the antimilitarist. He was of a farmer's family. He had been farming himself, and was for that reason better able physically, so he said, to endure the solitary confinement than the other men, who came from the city. He did not know how long it would be possible for him to stand the solitary confinement, but there was no doubt in his mind that, after the expiration of his 14 days of desert-island treatment, he could stand another 14 days of solitary confinement. Although most anxious to hear from his family, he could not hear from them because he had refused to sign the necessary papers. He regarded these papers as military documents and refused to sign them for that reason. He had no complaint to make as to the food that was being given to him during the desert-island treatment. His general complaint about the solitary confinement cell, and this was the general complaint of the others as well, was that it was almost impossible to sleep at night because the cells were full of vermin—bedbugs and another brown bug being particularly numerous—so numerous, in fact, that, after sleeping fits they had to be brushed in large quantities from their limbs. When we told the major afterwards of this he was quite indignant and said that he did not believe the cells were full of vermin; that he was sure they were lying, but that he would make a note of it, anyway. (I may as well remark here that the major in conversation afterwards did not seem to be as well posted as he might be on conditions in a prison to which he is supposed to be giving his complete time and attention.)

"The next prisoner admitted was Sterenstein. He came into the room blinking because of the light, after the darkness of his cell. He had been permitted to put on his prison garb. We were very grateful that because of our visit both he and Eichel were given a few minutes' respite from their shackles. Sterenstein had quite a heavy growth of beard. (The prisoners in solitary confinement not being permitted, of course, to shave.) He seemed to be physically the weakest of the three. He informed us that he had been sentenced to 30 years for refusing inoculation and refusing to work. Neither he nor Eichel had been adjudged as insincere by Judge Mack's board. It was his opinion that he and Eichel were being kept at Fort Jay because it was necessary for the authorities to subject a few men to severe punishment as an example to others. Other men who held precisely the same views and who had refused to obey certain orders had been transferred to Fort Leavenworth. He said that as a Socialist and humanitarian it was not possible for him to do anything to further the war; that he realized his life did not belong to him at a time when thousands of men were losing their lives, and that he was ready to be shot if only in that way he might give testimony to the faith that was in him. When he and Eichel came to Fort Jay they were undecided as to whether or not they would work on the stone pile. They worked on the stone pile for one day and then came to the conclusion that it was wrong to do this, because they would then be relieving some other men for military work. They thereupon refused to do other prison work and were placed in solitary confinement for this. Maj. Ward later cited their one day's work as conclusive evidence of their insincerity. Sterenstein complained of the petty annoyances to which the objectors were being treated by some of the guards. He was ready to serve his complete sentence without flinching, but did not think that they should be subjected to severer treatment than their sentence called for. He said that guards had beaten up at least two men to his knowledge, one of them in a cell, and that Maj. Ward himself had declared that one man would have to be beaten up, inasmuch as that was the only way to deal with him. Maj. Ward declared afterwards that as far as he knew no man had been beaten up at the prison for a whole year. Sterenstein said that at certain times of the day some rays of light came into his cell so that it was possible for him to read surreptitiously. He pulled out a tattered copy of the New Testament from his stocking, saying that he had been able to conceal this. He complained of the trouble the vermin gave at night. He thought also that if he might be permitted, when shackled, to stand in his shoes it would be easier for him, because he

had flat feet. He had a handkerchief during the 14 days, inasmuch as there was one in his clothes. No handkerchief had been offered him by the authorities. When asked if he objected to our repeating some of his remarks, he said that he was entirely willing to suffer any reprisal that might be meted out if only the cause of the conscientious objector might thus be helped.

"Eichel appeared to be stronger physically than Sterenstein and just as steadfast in his determination to hold out as long as he could. His attitude was practically the same as that of Sterenstein. There was no discrepancy between the statements of any of the three prisoners. Eichel was particularly anxious to have his family know that he was still at Fort Jay. They had not been permitted to hear from their families."

As a result of our complaint to the War Department, based upon this and other reports, the conscientious objectors in question were transferred to Fort Leavenworth, where the cells are said to be more sanitary; but the use of these cells at Fort Jay for the punishment of recalcitrant prisoners still continues to this day.

II. STATEMENTS AS TO CONDITIONS AT THE DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANS.

This is the chief military prison in the United States. At this time it contains approximately 3,000 prisoners, of whom about 300 are conscientious objectors. Most of these latter are under sentences ranging from 10 to 30 years. Whatever the particular charges on which they were court-martialed, they are imprisoned for one reason only, and that is their steadfast refusal on religious or other conscientious grounds to accept any form of conscript service under military authority.

The documents which follow come from prisoners whose names we can not publicly disclose, but who are known to us to be trustworthy:

1. Bulletin on conditions within the prison as they were about November 6. [We know the author of this bulletin and can vouch for his character and accuracy.—Ed.]

"Evan W. Thomas finally refused to continue work * * *, and the following day he was put in solitary confinement.

"His final statement was that in going to the 'hole' he was protesting against the entire prison system, as well as the fact that conscientious objectors are not distinguished from ordinary criminals and against the mistreatment of individual conscientious objectors.

"He believes that officials here are acting according to instructions from authorities in Washington.

"He plans to remain in 'solitary' until he collapses physically if conditions are not changed.

"Nine conscientious objectors, serving long sentences at the United States Disciplinary Barracks for refusal to submit to military conscription, are in solitary confinement in the institution because they have declined to engage in prison labor. * * *

"Five of these men have been brutally beaten and manhandled since they arrived.

"These nine men are handcuffed and chained by their wrists to the bars of the door for nine hours a day in darkened cells. The solitary cells here are in the sub-basement of the prison. Prisoners in such confinement are rationed on bread and water. Most of these executive sentences are for 14 days, but some of the objectors have been in solitary 30, 40, or even, in one case, 50 days. * * *

"Following is a list of the nine conscientious objectors enduring solitary punishment:

"Thomas Reed (colored), religious, arrived from Fort Jay, N. Y., on September 13, in solitary since September 15.

"Hyman Bloch, religious, from Camp Funston, September 20, in solitary since November 4.

"Jacob Wurtzman, socialist, from Fort Riley, November 4.

"Henry Monsky, socialist, from Camp Funston, November 4.

"Abraham Geleiter, orthodox Jew, from Fort Jay, September 13.

"Jake Conovaloff, religious, Camp Funston, October 20.

"Fred Uren, religious, Camp Funston, October 20.

"Morris Shuben, religious, Camp Funston, November 2.

"Andre Shuben, religious, Camp Funston, October 28.

"Prisoners, including at least two conscientious objectors, witnessed the brutal treatment given Dan Yoder and S. Herschberger, both from Camp Sherman, Ohio, November 1, and their accounts are substantially as follows:

"These men are members of the Ammish Mennonite sect, one of the religious rules of which forbids the wearing of clothes fastened by buttons. Upon their arrival they refused to don the uniform of military offenders. They were taken to the clothing storeroom and undressed forcibly by sentries, and were put into prison clothes.

"Sergt. Morris, foreman of the clothing storeroom, then took the two prisoners to the bathroom. There they again refused to cooperate. Again they were disrobed roughly. They were led under the cold showers and held there for between 10 and 15 minutes.

"Herschberger took the coarse 'laundry' soap that was forced upon him and washed himself. Yoder was led, or almost dragged, by the hair, shivering and crying noisily. Sergt. Morris, who was holding him, still by the hair, then ordered all the warm water to be turned off. Yoder refused to wash himself. The sergeant took a large cake of soap and a heavy fiber brush and began to scrub him, rubbed the soap up and down over his face and roughly applied the scrubbing brush to his body.

"They refused to put on the uniform. Herschberger dried himself and was dressed by other prisoners and sentries. Yoder, in the hands of the sergeant, was knocked down onto the cold cement floor. Without being dried, he was forced into the uniform. During this process his head was held between the knees of Sergt. Morris. When his underclothes were on, the sergeant lifted him up by the ears. This treatment has caused these two men to submit to prison labor against their beliefs.

"Instances can be multiplied. Geleiter, when he refused to drill, was beaten by sentries before he was put into solitary. Even there he was deprived of his phylactery, a religious article, indispensable to him. Uren and A. Shuben were beaten in the executive office. Corpl. Harry Hunter inflicted the bodily punishment in these last cases. His actions were unauthorized, and in consequence he has been suspended as yard corporal.

"But that is the only show of justice that the authorities of the institution have given in respect to these outrages. The incidents of Yoder and Herschberger were reported by two prisoners to Capt. Harry Mitchell, adjutant, and by him to Capt. L. A. Humason, intelligence officer. Nothing further has been done. It is not known whether reports of these affairs were allowed to reach officials in Washington or whether proper punishment is to be meted out to the soldiers who committed these brutalities. * * *

"Thomas has stated briefly how most of the political conscientious objectors regard this situation. When he submitted his letter to Col. Sedgewick Rice, the commandant, he was read an order from Washington stating that conscientious objectors who have been sentenced shall be treated as the ordinary criminal soldier."

2. Extract from letter written November 7:

"You will wonder at my sanity if I tell you that I am trying to pick a vegetarian existence out of the limited rations in the mess hall. There are several of us now. * * * One is Rose, from New York, who passes on all the books sent to prisoners; another is Sylva, just arrived from Funston and still weak from the effects of his hunger strike; another is a robust athlete from Denver; and the other four are Israelites from Benton Harbor who tremble lest by eating a morsel of animal fat they will violate the exhortations of Holy Writ. The table has contributed so many to the 'hole' that some begin to fear it is enchanted. Block, from Riley, has just gone down for refusal to work; Geleiter, from Fort Jay, has been in solitary for weeks, and several Russians have gone after him.

"In the 'hole,' a dungeon in the sub-basement, the men are fed only bread and water, and are handcuffed to their cell doors for nine or more hours a day. During the first week they stand with their hands crossed at their breasts; during the second they hang by their wrists. [We presume, with their feet on the floor.—Ed.]

"The 'screws' [sentries] are brutal. I have gone down with food from the mess hall several times to observe them. The air reeks with curses and foul drule. I have not heard these fellows suggest anything nearer a human reaction than a bestial laugh at some lewd tale. It follows that these men handle the prisoners with little gentleness. Geleiter has been beaten periodically. I saw him dragged by the collar, choking, across the rough floor of the corridors and the barber shop into the bath. One sentry knocked him down upon the cement floor, another undressed him with such brutality that he screamed with pain, and three of them forced him into the shower and scrubbed him with coarse soap.

"The Russians from Riley came out of confinement yesterday wan and staggering. They have gone to work. Both are religious objectors. Some of the Russians now in confinement have gone through the worst experiences in jail which the worst of the Tzars had to offer. They say that there they were permitted to cook their own food and were let alone. They swear that their life there was easy in comparison to this.

"Fellows who came from Camp Sherman last week declined to don the prison garb. (From other sources we learn that this was because of religious scruples against wearing buttons.) Two of them persisted. They were beaten into submission and the clothes were forced on them. For a time one of them wore his bundle around his neck, refusing to touch it; but he, too, was forcibly dressed. It is said that a captain witnessed the original beating and that he turned his back and walked off without interceding. The sentries to whom he left the job dragged the boys to the bathroom and treated them to Geleiter's experience, scrubbing the flesh of one with the ubiquitous galvanic soap and a coarse scrubbing brush. The water was so cold that the rest of us spent scarcely three minutes under it and retreated. Yet these C. O.'s were held under it for nearly 15 minutes. Corporal ——— is being tried for beating up two Russians—Holy Jumpers from Texas—for their refusal to salute and work. He administered one of his pummelings in the office of the executive officer, who himself had to stop the struggle. But he is being tried because his specific act was not authorized. The 'hole' treatment is known by everyone in all its details and is accepted by the authorities. * * *"

3. Letters of November 14 and 15 on the situation to date.

Box 60, Fort Leavenworth, *November 14.*

My Dear ———: Francis Hennessy has asked me to send you this message, for just now he can not write.

The group of boys from Fort Riley and Camp Funston came to Leavenworth more than a week ago. Most of them began working in and about the prison, but practically all have refused to work longer and are now doing penance in the "holes." The "hole" is our jail, you know—a black, cold place in the sub-basement. The men hang there chained by their wrists to their cell doors for nine hours a day. They sleep on the cold cement floor between foul blankets and are given bread and water, if they will eat at all. They can not speak, and of course they can neither read nor write. [That is, they are not allowed, being chained in the dark.—Ed.]

There is brutality enough, too. Some of the men have been beaten periodically. I saw one man dragged by his collar across the rough corridor floor, screaming and choking, to the bath. He was knocked about on the floor for failing to undress, and was then stripped roughly and thrust under a cold bath. * * * He has since gone to the hospital.

Several Russians—Holy Jumpers from Arizona—have been hunger striking in the hole. Two of them were beaten so bestially that even the authorities were shocked, and the sentry is to be court-martialed. The sentry is being tried, however, only because he exceeded his authority. The other beatings and tortures are matters of general knowledge and are accepted by the authorities as justifiable. These Russians were so weak at the end of six days that two of them had to be sent to the hospital—veritable ghosts. * * * They are ready to die in this dungeon. Their courage, so firm and beautiful, shames the others of us.

Evan Thomas, Howard Moore (on Nov. 8, 1918, the Carnegie Hero Fund Commission awarded Howard Moore a hero medal and $500 for the gallant rescue of Miss Hanney off Bell Island, Conn. When the award was made, he was prisoner at Fort Leavenworth for conscience sake. Other of his comrades are no less brave). Rose (of Philadelphia), Hennessy, and about 20 others are now in the pit. They are protesting against the brutalities and tortures, compulsory work, compulsory chapel on Sunday, and against the imprisonment itself. The local officers are relentless in punishing this breach of discipline, and promise one man a court-martial, I am told, as a lesson to the rest of us. Little more could be expected of them. But from Washington we hope that some recognition of the condition may be drawn. We hope, of course, that the administration will act as liberally as it has so often spoken and that it will recognize the right to be free-minded, religiously and politically. We feel that if the Government is not committed by deed to the principle, the sacrifice we have been making has accomplished nothing except, perhaps, to create a splendid social propagandist material.

We wish that some one could visit us and see with his own eyes the results of the repressive policies which these military persons call justice. * * *

We have all come to love Francis in the few days that he has been here. He is a lad of the quietest courage. He has not the slightest hesitancy about stepping into this dungeon. He wants you to be assured that he will come through happily.

Very truly, yours,

(Signed)

NOVEMBER 16.

This is a supplement to the letter I sent concerning Francis Hennessy. The boys in the dungeon are hunger striking now, demanding their release. They are being forcibly fed in the usual manner. I can not learn whether Francis is among them, but he said when he left me that he intended going the limit. He was getting on quite happily on bread and water yesterday morning.

Rose, of Philadelphia, who struck for 25 days in Camp Meade, was taken from the wing yesterday and ordered to begin breaking rock. He refused and was forced to stand all day, the cold wind cutting his flesh, eating nothing. He went to his cell in the evening shuddering with chills and burning with fever. To-day he is out in the yard again, professing health and liberty. He is to be court-martialed, he is told, and given a long term of years in the Federal penitentiary.

Others will be joining the hunger strike day by day. None will die, for the officers do not want the responsibility of making explanations to enraged parents and friends, and the public generally; but they will all have a sober time of it. As long as I am at liberty myself, I shall be happy to tell you of the condition of Hennessy and of the others.

Very truly,

(Signed) ———.

4. Digest of a report by an investigator sent to Fort Leavenworth by the National Civil Liberties Bureau:

NOVEMBER 18, 1918.

The investigator states that at the time of his visit there were in confinement at Fort Leavenworth 280 conscientious objectors, and that several had died of the recent epidemic of influenza. The assistant commander refused absolutely to allow him to copy the names of any of these men, nor would he state what treatment was given to objectors who refused to do work assigned to them. The investigator adds that from his observations "they would not be accorded very much consideration as human beings," that they are "very thinly clad," "are constantly under the eye of an armed man," and that "hundreds of armed guards of the rough-house type are with the men at all times."

5. Documents illustrating the reason why some of the men quit work in protest against the punishment of certain of their comrades.

(a) Letter of prisoner No. 14822 to The Adjutant General, Washington, D. C.:

UNITED STATES DISCIPLINARY BARRACKS,
Fort Leavenworth, November 5, 1918.

From: General Prisoner Evan W. Thomas, Serial No. 14822, United States Disciplinary Barracks, Fort Leavenworth, Kans.
To: The Adjutant General, Washington, D. C.
Subject: Treatment of conscientious objectors.

SIR: In a letter written by you dated August 18, 1918, to David E. Eichel at Fort Riley, Kans., you declared that it is not the policy of the Government to coerce the conscience of individual objectors, but that, on the other hand, great and liberal concessions have been made to conscientious objectors. I know that the same impression has been given by the Government to many other individuals through letters as well as through the public statements of officials.

Yet the fact remains that in accordance with the regulations a number of the many conscientious objectors now confined in the disciplinary barracks here are in solitary confinement, chained to the bars of their cells nine hours a day for conscience sake. I have been witness of the mental anguish through which some of the men have gone because they could not work in this institution, no matter what the consequences might be. I myself have on repeated occasions before coming here declared to Army officers that I would not work in the disciplinary barracks if the consciences of others were coerced or if the work was the same as noncombatant service in the Army.

Nevertheless, since my arrival here, on October 20, I have been working. It is not my desire, even if it were possible, to interfere with the discipline of this institution, nor do I believe that that is the intention of the objectors now in solitary confinement. But the fact remains that in spite of the many liberal statements made by the Government the conscientious objector is being treated exactly as the recalcitrant or criminal soldier.

In view of the explicit promises made by the Government, can not some provision be made to relieve the situation here?

Respectfully, yours,

(Signed) EVAN W. THOMAS.

(b) Memorandum sent to mother of prisoner No. 14822 in reply to her questions with regard to her son:

NOVEMBER 13, 1918.

MEMORANDUM FOR COMMANDANT.

Circumstances under which No. 14822 came into the office and the reasons for going into solitary confinement rather than work.

1. I was in need of two reliable copyists in the office and was entering the office of the executive officer to apply for these men and remarked my needs to Capt. Leard, who was also entering the office of the executive officer. He pointed out No. 14822 and said, "There is the very man you want. He is a graduate of Princeton and has had two years at Oxford, and he is now going to the executive officer to decline to work and to take his medicine for conscience sake and what he supposes to be his duty."

I asked the executive officer about this man and told him that such a man was at least entitled to an interview, and asked him to send 14822 to my office.

I talked to this prisoner, No. 14822, for 30 minutes trying to convince him that he was really arraying himself on the side of disorder as against the law of his country and order, however his case of injustice and inconsistency might appear to him. The interview closed with my giving him the permission of coming into the office the next day, and suggested that he would save himself further trouble by being useful to us and his country.

He came into the office the next day and said he had concluded to work for me and I put him to work with the purchasing department. Two days later, we found that it was necessary to put another man on the records of our registered stock. I called for 14822 and told him that I had concluded to give him this work, as it was the most accurate work in its requirements in the office. He informed me that he was on the point of asking for an interview to tell me that he had made a mistake in not going to the executive officer and refusing to work in the first place, but feeling as he did about it, he felt that to save himself the ordinary punishment of his refusal was an act of cowardice, and that he was really diverted from his refusal to work by fear. He had thus concluded to take his medicine. I said to him, "You have fully determined on this course—there is no further use of conversation or argument?" and he said, "No, sir."

I directed him to report to the executive officer.

(Signed) SAMUEL A. SMOKE,
Major, United States Army, Retired.

In connection with these documents it may perhaps be added that almost all of these objectors came to Fort Leavenworth after months of segregation or imprisonment in guardhouses, where many of them suffered severely from the brutality of guards and petty officers.

We are not issuing these documents to argue the question of conscientious objection. It is plainly evident, however, that the charge of physical cowardice so often leveled against the conscientious objector is false in the case of the men who are confined in Leavenworth. Without exception, they could have avoided their heavy sentences merely by accepting noncombatant service. Many, in an effort to protest against the treatment of fellow prisoners, have gone so far as to choose deliberately a course which led inevitably to the horrors of the "hole." Misguided perhaps, fanatics perhaps, but not cowards!

The treatment administered to these men can not conceivably be the only or the best course open to the State. They are capable of the quixotic generosity of a sympathetic strike in prison, they are eager to serve high causes outside prison walls; the State seems to confess its weakness and perplexity in finding no alternative to the brutal method of crushing them in mind or body.

The facts which we have cited raise two issue:

(1) The use of torture in military prisons to enforce obedience. This is as unnecessary as it is barbarous. Conscientious objectors may be rendering a real social service in calling attention to the use of solitary confinement, such as we have described, to which ordinary military offenders have been subjected for years.

(2) Political prisoners, of whom conscientious objectors are one group, should be distinguished from ordinary offenders against the criminal law. Such is the almost universal practice in Europe. In Great Britain the so-called "absolutists" objectors were never confined in military prisons and no sentences exceeded two years. This policy was carried out in the heat of the war. Our own Government has repeatedly declared its intention not to coerce the conscience of any recognized objector, yet by confining these men in military prisons, it raises the question of coercion in an acute form. From the standpoint of the well-being of the State, as truly as of the ancient American liberties of conscience and free speech, what possible good end is served by the indefinite confinement of political prisoners who are eager to render useful service outside prison walls? The situation is urgent. This torture can have but one end—the utter breaking of the men in body, mind, or spirit.

No solution of this problem short of complete pardon will satisfy the generosity or sense of fair play of the American people. But in the meantime it is our particular purpose to urge (a) the immediate release of men now chained in solitary confinement and the permanent abolition of this and similar obsolete forms of discipline in military prisons; (b) the recognition of the status of conscientious objectors as political prisoners.

In creating the Department of Labor Congress declared that its purpose was to promote and develop [not labor unions, but] the welfare of wage earners, to improve their working conditions, and to advance their opportunities for profitable employment. Congress did not declare that the millions of wage earners not union men were "scabs" and not entitled to any consideration. I am for giving an equal chance alike to all of the honest toilers of this Republic, and I am unalterably against subjecting every department and branch of this Government to the selfish whims, dictates, and demands of an autocratic leader of organized labor.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 4, 1919.

Mr. BLANTON. Mr. Speaker, during the debate on the sundry civil bill last Friday I took the position that the balance of the previous appropriation made still available of $1,543,400, supplemented by the $1,800,000 provided for in H. R. 16187 passed that day, was amply sufficient to carry on the Employment Service and that the extra $10,000,000 demanded by organized labor was unnecessary and should not be allowed.

Therefore, when the distinguished gentleman [Mr. WATKINS] offered his amendment proposing to increase this appropriation with the enormous sum of $10,033,808.10, I objected to it and made a point of order against it, which the Chair sustained. And likewise when the gentleman from New York [Mr. SIEGEL] offered his amendment to increase this appropriation, I opposed and helped to defeat it.

Then there was an attempt made by the sponsors of organized labor to secure this extra $10,000,000 in spite of the law and the rules of the House, and the distinguished gentleman from Massachusetts [Mr. GALLIVAN] offered the following amendment:

Amendment offered by Mr. GALLIVAN: Page 152, line 20, insert a new section as follows:

"To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available money in the Treasury, $10,033,808.10.

I promptly objected to it, and made a point of order against it, and I here insert from the RECORD of the proceedings the remarks I made in favor of the point of order:

Mr. BLANTON. Mr. Chairman, I desire to be recognized on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLANTON. The law which sets forth the purpose of this department shows that the purpose is threefold. Simply because it specifies this threefold purpose is no reason why Congress has the right to inaugurate new legislation here and spend $10,000,000. One of the purposes is to promote and develop the welfare of wage earners. Why, if the gentleman from Massachusetts is correct in his contention, the Secretary of Labor could contend that he could furnish every wage earner with a Pierce-Arrow limousine to ride to his place of work. That would promote his welfare. Would the gentleman contend it would not require legislation, special legislation, for the Secretary of Labor to do a thing of that kind? One of the purposes is that it is to improve their working conditions. Why, the Secretary of Labor might decide in his discretion that in order to have their working conditions improved each one of them should own a brownstone mansion. Would the gentleman contend for one moment that the Secretary of Labor could carry out that purpose from a lump appropriation without special legislation authorizing it? The other purpose is "to advance their opportunities for profitable employment." Why, the Secretary of Labor might well say that it would advance their opportunities for profitable employment to send each one of them to Yale University or to Harvard or to Columbia, and let them take an A. B. degree. Does the gentleman contend, simply because he is to help them in their opportunities, he could decide in his discretion to give them a university education out of the lump-sum appropriation, without new and special legislation passed by Congress to authorize it?

I submit, Mr. Chairman, it does take new legislation here to authorize the expenditure of this $10,000,000 proposed, and without new legislation authorizing it it is certainly subject to a point of order.

After the Chair had sustained my point of order, and ruled the amendment out of order, the gentleman from Massachusetts [Mr. GALLIVAN] appealed from the decision of the Chair, but the House sustained the Chair by a vote of 114 ayes to 58 noes.

And then the renowned Socialist Member from New York [Mr. LONDON] made his attempt to secure this $10,000,000 as follows, copying from Record:

Mr. LONDON. Mr. Chairman, I rise to offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. LONDON. As a section for the purpose of continuing the present system of unemployment exchanges, the sum of $10,000,000.

Mr. BLANTON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Clerk will report the amendment.

Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order on that.

Mr. BLANTON. I make a point of order. It is new legislation.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

"Amendment offered by Mr. LONDON: Page 152, after line 20, insert, as a new section, the following:

"'For the purpose of continuing the present system of unemployment exchanges, $10,000,000.'"

Mr. BLANTON. Mr. Charlman, I make the point of order that it is new legislation.

The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Texas makes the point of order.

And the Chair, after the prolonged argument which ensued, again sustained my point of order and ruled the amendment out of order.

And then my eloquent friend, the orator from Missouri [Mr. DECKER], contributed to the cause by offering his amendment:

Mr. DECKER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

"Amendment offered by Mr. DECKER: Page 152, after line 20, insert as a new section:

"'For expenses of Department of Labor, made necessary by the act of March 4, 1913, entitled "An act to create a Department of Labor," $10,000,000.'"

Mr. BLANTON. I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GALLIVAN. I should like to have the gentleman give some reason for the point of order.

Mr. BLANTON. Because it is legislation and not germane.

The gentleman from Missouri [Mr. DECKER] then appealed from the decision of the Chair in sustaining my point or order, and the House sustained the decision of the Chair by a vote of 106 ayes to 33 noes. And so this $10,000,000 was saved to the already overburdened taxpayers of this country.

Mr. Speaker, there is not a Member of this House who is a stancher, truer, more deeply sympathetic friend to all laboring men who toil for their daily bread than I am. I could not be otherwise. I have fought their battles for over 20 years. Left to meet the struggles of life when a boy only 10 years old, I know through hard experience the problem of earning bread, working for every dollar that procures your education, and fighting on every inch of the ground, step by step, the innumerable obstacles always found blocking the path of success.

But, Mr. Speaker, I am for all men who labor, and not for just a special favored few. I am not willing to subject every department and branch of this Government to the selfish whims, interests, dictates, and demands of the autocratic leader and master of 3,000,000 members of organized labor to the detriment of 50,000,000 other honest toilers in the United States. I am just as much opposed to autocracy assumed and practiced by Samuel Gompers as I am to that of a Hohenzollern kaiser.

For a proper labor employment service, run in the interest of all wage earners alike, and not merely in the interest of labor organizations and the big-salary-drawing employees of this Government, I would vote for one million or ten million or even one hundred million dollars, if same were necessary. But from a careful study of the question and of conditions prevailing here in Washington during the past two years, I have become firmly convinced that our Labor Department in States other than Texas, which, thank God, has not yet become Gomperized, is run more in the interest of labor unions and high-salaried officials than it is for wage earners generally. In his autobiography the Secretary of Labor specially emphasizes the fact that he has taken an active part in trade-union affairs from early manhood, and for eight years was international secretary-treasurer of the United Mine Workers of America. He has seen fit to appoint as chief clerk of the Department of Labor, Samuel J. Gompers, son of the president of the American Federation of Labor. It will be remembered that labor unions have designated as "scabs" all laboring men not members.

Now, in the hearings on the sundry civil bill, part 2, pages 965 to 1755, Mr. J. B. Densmore, Director General of the United States Employment Service, in his testimony, admitted that up to January 1, 1919, this department had expended $3,282,790, and he also admitted that out of the last appropriation of $5,500,000 he still had left on hand on February 1, 1919, the sum of $1,543,400 thereafter to be expended. To this sum, in the deficiency appropriation bill passed last Friday, Congress gave him the additional sum of $1,800,000.

Now, let us see how this Employment Service has been spending this money of the people in such enormous sums. I will only mention the administration office here in Washington. It will be interesting to the people, and to the returned soldier boys who have been fighting in trenches mud deep in France 24 hours out of the 24 sometimes for $33 per month, to learn what the officers of this Employment Service have been allowed by the Secretary of Labor for seven hours work per day. I give below the official designation, number, and salaries of such officers in the administration office alone of the Employment Service:

United States Employment Service—Salaries, administrative office, Feb. 5, 1919.

Title.	Number.	Rate.	Total.
Director general	1	$6,000	$6,000
Assistant director general	1	5,500	5,500
Assistant to director general	1	5,000	5,000
Do	2	3,500	7,000
Special assistant to director general	1	3,500	3,500
Assistant to director general	2	4,000	8,000
Do	1	3,500	3,500
Special representative	5	3,500	17,500
Do	2	3,000	6,000
Do	3	2,500	7,500
Special agent	1	4,000	4,000
Do	1	3,650	3,650
Do	4	3,500	14,000
Do	10	3,000	30,000
Do	10	2,500	25,000
Do	4	2,400	9,600
Do	5	2,250	11,250
Do	2	2,000	4,000
Director of division	4	4,000	16,000
Assistant director of division	1	3,500	3,500
Do	1	3,000	3,000
Assistant to director of division	1	3,000	3,000
Do	2	2,500	5,000
Do	1	2,250	2,250
Do	1	2,100	2,100
Do	1	2,000	2,000
Chief of section	1	4,500	4,500
Do	1	4,000	4,000
Do	1	3,500	3,500
Do	5	3,000	15,000
Do	2	2,700	5,400
Do	2	2,750	5,500
Do	3	2,500	7,500
Do	1	2,400	2,400
Assistant chief of section	2	3,000	6,000
Do	1	2,750	2,750
Do	1	2,500	2,500
Do	1	2,400	2,400
Do	1	1,800	1,800
Disbursing agent	1	2,750	2,750
Secretary (War Labor Policy Board)	1	4,500	4,500
Secretary	1	3,500	3,500
Do	2	3,000	6,000
Do	2	2,000	4,000
Do	1	1,800	1,800
Do	1	1,740	1,740
Do	1	1,500	1,500
Do	1	1,440	1,440
Clerk (senior)	1	2,750	2,750
Do	1	2,620	2,620
Do	8	2,500	20,000
Do	1	2,400	2,400

United States Employment Service, etc.—Continued.

Title.	Number.	Rate.	Total.
Clerk (senior)	4	$2,250	$9,000
Do	1	2,220	2,220
Do	5	2,100	10,500
Do	5	2,000	10,000
Do	2	1,980	3,960
Do	10	1,860	18,600
Do	16	1,800	28,807
Clerk	1	1,740	1,740
Do	1	1,728	1,728
Do	1	1,720	1,720
Do	2	1,680	3,360
Do	14	1,620	22,680
Do	1	1,600	1,600
Do	2	1,560	3,120
Do	36	1,500	54,000
Do	1	1,440	1,440
Do	10	1,400	14,000
Do	23	1,380	31,740
Clerk (junior)	61	1,320	80,520
Do	4	1,260	5,040
Do	65	1,200	78,000
Clerk (under)	15	1,100	16,500
Do	12	1,080	12,960
Do	5	1,020	5,100
Do	1	1,000	1,000
Do	1	990	990
Do	1	960	960
Do	4	900	3,600
Do	1	780	780
Do	1	720	720
Do	1	600	600
Do	2	600	1,200
Telegrapher	2	1,600	3,200
Engineer	1	1,440	1,440
Electrician	1	1,320	1,320
Fireman	3	960	2,880
Messenger	2	1,320	2,640
Do	2	1,200	2,400
Do	1	1,080	1,080
Do	1	960	960
Do	6	900	5,400
Do	2	840	1,680
Do	1	780	780
Messenger (junior)	10	720	7,200
Do	7	600	4,200
Do	7	480	3,360
Watchman	1	1,200	1,200
Do	5	900	4,500
Elevator operator	2	900	1,800
Do	1	720	720
Skilled laborer	1	1,320	1,320
Do	1	1,140	1,140
Do	9	900	8,100
Do	1	780	780
Janitress	1	840	840
Charwoman	8	312	2,496
SPECIALS.			
Adviser on industrial relations	1	5,000	5,000
Special examiner	1	4,000	4,000
Special camp organizer	1	4,000	4,000
National field organizer	2	3,000	6,000
Do	1	2,400	2,400
Assistant to chairman (War Labor Policy Board)	1	2,750	2,750
Associate director, Boys' Working Reserve	1	2,750	2,750
National director, Boys' Working Reserve	1	2,500	2,500
Assistant to Federal director (in charge of farm labor)	1	2,100	2,100
National director, Women's Land Army	1	2,000	2,000
Assistant Federal State director (Public Service Reserve)	1	1,800	1,800
Director, Negro economics	1	4,380	4,380
Assistant director, Negro economics	1	1,740	1,740
Supervisor of Negro economics	2	1,740	3,480
Total	513		861,214

In addition to the above, this Employment Service had in the field 3,784 representatives on the pay roll of the Government. The gentleman from South Carolina [Mr. BYRNES], through questioning, brought out the fact that it is the intention of this department to raise the salary of the director general, Mr. Densmore, to $7,500, the salary of the assistant director to $6,000, the salary of two other assistants to the director to $5,000 each, and the salary of seven other assistants to the director at $4,500 each; yet the Legislature of Texas, simply because it is requested so to do by these big salary drawing officers, without knowing much about the real facts, has passed a resolution demanding that Texas Congressmen support this program. Fortunately I got my commission directly from the people and use my own mind in doing a little thinking myself in their behalf. From July 1, 1918, to December 31, 1918, six months, said Employment Service paid out in—

Salaries	$1,967,962.81
Rent of offices	229,239.11
Per diem expenses	164,380.00
Travel expenses	74,803.19
Furniture, etc	361,495.21
Printing and stationery	172,862.47
Telephone	168,036.79
Miscellaneous	146,498.46

The following examination of Director Densmore by Chairman BYRNES, as taken from said hearings, may be of interest:

Mr. BYRNES. I notice you have an adviser on industrial relations; who is your adviser on industrial relations?

Mr. DENSMORE. Mr. Hugh Frayne; he came to us from the War Industries Board. He was a member of the War Industries Board.

Mr. BYRNES. A special camp organizer, $4,000; what are his duties?

Mr. DENSMORE. He has been organizing special offices in all demobilization camps.

Mr. BYRNES. Director of negro economics; who is your director?

Mr. DENSMORE. That is carried now and has been carried all the time on our pay roll as some other items have; that is Dr. Haynes, in the Secretary's office. He is director of negro economics in the Department of Labor and paid from our appropriation.

Mr. BYRNES. If he is now in the department on the work, why is he to be paid out of that appropriation?

Mr. DENSMORE. The operations which he is directing are pretty closely allied to the employment work.

Mr. BYRNES. What does he do?

Mr. DENSMORE. He is adviser to the Secretary of Labor on negro economics and employment.

Mr. BYRNES. That has nothing to do with this Employment Service?

Mr. DENSMORE. That, however, might as well be out of there, because there is an appropriation being asked for that. Isn't that true, Mr. Gompers?

Mr. GOMPERS. I know of no such estimate.

Mr. DENSMORE. I thought there was one; we have a good many negro officers and negro field officers.

* * * * * * *

Mr. BYRNES. Your director of negro economics is a negro?

Mr. DENSMORE. He is; Dr. Haynes, a university man.

Mr. BYRNES. He is an assistant and supposed supervisor?

Mr. DENSMORE. Yes, sir.

* * * * * * *

Mr. BYRNES. The director of economics and supervisor of economics; I do not see what functions they are exercising with regard to the employment of labor?

Mr. DENSMORE. Well, they do a very great deal; the director of negro economics arranges all the cooperation of the negro organizations in the field.

Mr. BYRNES. Have you had him for some length of time?

Mr. DENSMORE. Yes, sir; I don't know when he was appointed.

Mr. BYRNES. Was he there when you came there?

Mr. DENSMORE. He came in about a year ago.

Mr. BYRNES. Do you propose to continue in the service the director of negro economics as assistant supervisor?

Mr. DENSMORE. If the Secretary desires to.

Mr. BYRNES. Your senior clerks, I notice you pay them from $1,800 to $2,020 a year.

Mr. DENSMORE. Well, they are carried as senior clerks.

Mr. BYRNES. Is there any special duty that devolves upon them? Are they stenographers, or what is the character of their service?

Mr. DENSMORE. I think that title is not at all indicative of what they do; they are not clerks; they are various heads of separate sections and other special duties.

Mr. BYRNES. You have got chiefs of sections from $4,500 to $2,400.

Mr. DENSMORE. Those section chiefs, however, aside from those two or rather the first three—the first three are practically divisions.

* * * * * * *

TRANSPORTATION OF WORKERS.

Mr. BYRNES. This item of $250,000 for transportation of workers on page 635—what is the status of that appropriation?

Mr. DENSMORE. We have practically all of it.

Mr. BYRNES. You practically have all of it?

Mr. DENSMORE. Yes, sir; we used very little of it.

* * * * * * *

Mr. MONDELL. Is it actually advanced for transportation costs?

Mr. DENSMORE. In a few cases.

Now, I will show you why so little of that transportation money was furnished to workmen, and one of my constituents is forced to borrow money to get home. Read the following:

AFFIDAVIT.

I, J. W. Weatherly, being duly sworn, upon oath state: I live in Stephens County, Tex. On account of passing through a three years' drought I was persuaded by a Government representative of the United States Employment Service to leave Texas, and was specifically promised that if I would go North and work three months, not only my transportation there would be paid, but that all of my transportation and meals in returning home would be paid. I left Texas in August and worked faithfully. I was refused my return transportation, and have not been able to get 1 cent, and will be forced to go home at my own expense. Not belonging to a union, I received 40 cents an hour, and later received 45 cents an hour, and by working 10 hours a day I made $4.40 per day, while some union men were making $10 a day, or $1 per hour. I know a number of Texas men who were fooled about their transportation just as I was, they being promised same by the Government representative of the United States Employment Service as an inducement to leave their homes, and they have been forced to pay their own expenses back to Texas. Counting expenses, I could have made much more money in Texas and had the pleasure of remaining with my family.

J. W. WEATHERLY.

Sworn to and subscribed before me on this the 3d day of March, A. D. 1919.

[SEAL.] D. B. MULL,
Notary Public, District of Columbia.

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UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, February 25, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR MR. BLANTON: Acknowledgment is made of your letter of February 24, inclosing communication concerning J. W. Weatherly, in which you wanted information as to whether transportation would be furnished Mr. Weatherly for his return trip to Fort Worth, Tex.

We regret to say that no men were promised return transportation to their homes from projects constructed by the Government. In many cases transportation to a job was, of course, furnished. No provisions, however, were made for the trip home.

Very truly, yours,

J. B. DENSMORE, *Director General.*

And this Employment Service has refused to pay this return transportation to several hundred of my constituents to whom, as a special inducement, such Government agents in the field had promised would be done if they would leave Texas and come North.

UNPRECEDENTED PROPAGANDA AT GOVERNMENT EXPENSE.

During the hearings on the third deficiency bill, held by the Appropriations Committee, the chairman asked Director Densmore if he knew who caused the hundreds of telegrams to be sent Congressmen in behalf of the Employment Service, and in reply—page 414, February 22, 1919—Director Densmore stated:

I accept all the responsibility for it.

And, on page 428, Director Densmore admitted that Mr. Hugh Frayne, the adviser on industrial relations for the United States Employment Service, is a member of organized labor.

Now, let us see what kind of telegrams Director Densmore had sent out from Washington, at Government expense, to the labor unions and chambers of commerce throughout the 48 States of this Republic in an effort to get his additional $10,000,000 appropriation. Read the following clipping from the Abilene Daily Reporter, of Abilene, Tex.:

TELEGRAM URGES INDORSEMENT OF BUREAU OF LABOR.

The chamber of commerce has received a telegram from the managing editor of the United States Employment Service Bulletin, the official organ of the Federal Employment Service, urging that the local organization and other civil organizations of towns and cities in the western part of Texas use their influence to counteract present opposition developing at Washington against the continuation of the Employment Service over the Nation. The telegram seeks to have these organizations at once telegraph their Representatives in Congress to press the passage of a bill which would establish permanently the bureaus of the country and provide appropriations sufficient to conduct the business of the service in an efficient manner.

On page 10, issue of February 26, 1919, of the Waco Times-Herald, Waco, Tex., appeared the following resolution from the Young Men's Business League:

NO HELP FOR UNITED STATES SERVICE.

Secretary W. T. Wheeler presented a letter and telegram from H. W. Lewis, State director of the United States Employment Service, made defunct by a bill of Congress, urging that the Y. M. B. L. pass resolutions and take steps to cause legislators at the National Capital to provide for the continuance of the Employment Service.

Not a single director evinced a desire to help Mr. Lewis and other gentlemen of the service mentioned, the general sense of the directorate, on the other hand, being that "the usefulness of many bureaus and commissions created on account of the war are now passed."

I wish that the people knew just how many telegrams the labor unions all over the United States, at the instance of this Employment Service, have sent to the 435 Members of Congress. Also through their influence, by causing them to believe that it was in behalf of our returning soldiers, mayors, chambers of commerce, chiefs of police, and other officers and prominent citizens have sacrificed much money telegraphing us. I received a long telegram from Hon. J. F. Carl, of San Antonio, and a 223-word telegram, sent at Government expense, from Director Lewis, of the Employment Service there, attempting to tell me facts about which I had more definite information than he did, and when I later received a 1,000-word telegram from Judge Carl I sent an answer in reply to all of them through the public press; and to satisfy the curiosity of my genial Irish friend from Massachusetts [Mr. GALLIVAN], I will state that I sent it as official business.

During the debate on the sundry civil bill, in discussing this extensive propaganda propagated by Government employees in Washington, I inserted in the RECORD my said telegram, to wit:

[Telegram.]

WASHINGTON, D. C., *February 26, 1919.*

SAN ANTONIO EXPRESS,
San Antonio, Tex.:

Kindly permit me to publicly answer a 1,000-word telegram just received from Director J. F. Carl. Sundry civil bill continues Employment Service until July. This service in Texas is beneficial, worthy, and ideal. Not so in many other States. It is not the returning soldier boys who are now demanding that this service be made permanent, adding an extra ten million appropriation for coming year, but it is members of organized labor who didn't enlist or fight, but who claimed industrial exemptions, and who during entire war have drawn higher wages than ever dreamed of before, as high as $11 per day, more than the salary of the Governor of Texas, while our fighting boys in trenches were paid only $33 per month. When Gen. Crowder ordered all "men to work or fight," it was Samuel Gompers and this same bunch who threateningly told him that he could not apply the work-or-fight order to organized labor, and thus forced the drafting of boys 18 years old. When Congress required the 240,000 Government clerks, drawing annual salaries up to $2,500, to work eight hours per day during the war, it was this same bunch who forced President Wilson to veto this eight-hour provision by thousands of such employees threatening to march on the Capitol and threatening to quit work and thus crippling every department of Government in war time. Statistics in Labor Bureau show that during war—April 6, 1917, until armistice was signed, November 11, 1918—there were in the United States 6,000 strikes by members of organized labor, lasting an average of 17 days' duration.

In several Southern States where farming is absolutely dependent upon negro labor, Government representatives of this Employment Service have induced thousands of negroes to leave farms and have unionized them in cities. The editor of the Employment Service Bulletin here has lately wired the unions and chambers of commerce throughout my district urging them to insist on my supporting this union program, and it takes an extra stenographer to answer such communications from labor unions. Although 45 States have ratified the prohibition amendment, and it is a part of our Constitution, these same labor unions are arranging a strike against the Constitution of the United States on July 1. They also defied law and the courts of California.

Mr. Samuel Gompers has cabled us to support this and other union measures, insinuating that a failure to do so might cause a revolution of the discontented labor members here. It has now reached a point when Congress must decide whether America and its Government is to be run in the interests of its 110,000,000 people or run solely by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. The success of a doctor, lawyer, preacher, teacher, Congressman, merchant, farmer, and public officer depends entirely upon his ability, efficiency, and class of service given, but the 3,000,000 members of unions depend solely upon Samuel Gompers, union card, power of strike, and revolution.

The citizens in every county in my district will see to it that each returning soldier is properly placed, and they will handle any revolution which Mr. Gompers and his discontented bunch may start. Shall it be Gompers and unions first and America second, or the interest of all American citizens first, last, and all the time?

THOMAS L. BLANTON.

The able and distinguished gentleman from Ohio [Mr. COOPER], who, according to his autobiography, was for 17 years a railroad locomotive fireman and engineer and therefore a member of the brotherhood union, entered a general denial on behalf of organizd labor by stating:

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I do not believe that I can sit still in my seat and listen to the gentleman from Texas [Mr. BLANTON] indicting the union labor men of this country. I have not always agreed with Mr. Samuel Gompers, and on several occasions I have taken issue with him right here on the floor of the House, but when the gentleman from Texas intimates that organized labor of this country caused all of these strikes and did not do their part in the winning of this war, he makes a misstatement which he can not prove by the facts.

Who ought to be better informed in regard to the number of strikes, the Department of Labor or the gentleman from Ohio [Mr. COOPER]? I wrote the Secretary of Labor, a member of the Cabinet, requesting that he have prepared for me a correct statement of the number of strikes by members of organized labor occurring in the United States between April 6, 1917, and November 11, 1918. In reply I have the prepared statement, signed by the Acting Secretary of Labor, stating that eliminating all duplications, there were 6,000 strikes by labor unions in the United States between April 6, 1917, and November 11, 1918, of an average duration of about 18 days each. If there is any misstatement the Department of Labor is responsible for it, and the Department of Labor has since made no correction, hence it does not become the gentleman from Ohio [Mr. COOPER] to deny it.

Every posted newspaper reader knows that several times during the war members of striking labor unions had to be ordered, both by President Wilson and Secretary McAdoo, to end their strike and go to work. Even plasterers and paper hangers struck for $1 per hour and time and a half for overtime over eight hours, making $11 per day for 10 hours' work.

When in the spring of 1918, through the insistence of organized labor, the committee proposed a blanket raise in salary of $120 to the 240,000 Government employees drawing annual salaries up to $2,500, the late lamented gentleman from Missouri, Mr. Borland, offered an amendment that before paying said raise in salary such employees should be required to work eight hours per day. Such employees then worked only seven hours per day; received their salaries regularly, paid twice a month in cash; worked in comfortable buildings, well furnished, steam heated, electric lighted, with ice water and electric fans in summer; were given 30 days' vacation on full pay each year; were allowed as much as 30 days' additional on full pay on doctor's certificate; were allowed the 52 Sundays and all legal holidays; and were allowed half of Saturdays during three months of summer and half holidays on all special occasions in Washington. They had the benefit of seeing all of the many places of interest and amusement in Washington, attending the best theaters, the finest churches; enjoying the miles of paved streets, fine parks, public bathing beach, all maintained at a great cost to the people of this Nation.

The House twice adopted the Borland amendment, and it finally passed the Senate, allowing the 240,000 employees a blanket raise of $120 each, but requiring them to work eight hours a day.

The Washington Times, on its front page, in its issue of June 28, 1918, carried the following:

PRESIDENT URGED TO VETO BORLAND EIGHT-HOUR LAW.

A great exodus of Government employees from Washington, which may be so large that it will of itself definitely solve the housing problem, is being freely predicted as a result of the action of Congress in approving the Borland amendment to the legislative bill providing for a minimum eight-hour day and no overtime.

Appeal has been made to the President for a veto or other action that will wipe out the Borland amendment. Officials who have conducted the employees' campaign against this legislation are confident that the President will act in their behalf, but in the meantime there is much talk among employees of quitting the service.

President H. M. McLarin, of the National Federation of Federal Employees, and President John S. Beach, of the local union, carried an appeal to the President for a hearing for the clerks and for veto of the legislative bill.

President Gompers has also acted, writing a letter to the president asking for elimination of the Borland amendment or veto of the bill.

An appeal has likewise been carried to the National War Labor Board for intervention to defeat the Borland amendment.

On page 2 of its issue of June 29, 1918, the Washington Star carried the following:

CLERKS' PROTEST EXPECTED MONDAY—THOUSANDS MAY MARCH TO CAPITOL—MASS MEETING AGAINST EIGHT-HOUR DAY.

Thousands of Government clerks may march to the Capitol Monday afternoon in protest against the action of Congress in prescribing an eight-hour day.

At a mass meeting of Government employees, to be held in the New Masonic Temple, to-morrow afternoon, at 2.30 o'clock, plans will be presented for the demonstration.

MISS RANKIN WILL SPEAK.

Representative JEANNETTE RANKIN will be one of the speakers at to-morrow's meeting.

Government departments are arranging tentative schedules in anticipation of President Wilson signing the bill calling for the extra hour of work. In all probability the time will be from 8.30 a. m. until 5 p. m., although a system of staggered hours may be arranged later to give relief to street car traffic congestion.

AIMING TO DEFEAT PLAN.

Labor leaders and representatives of the National Federation of Federal Employees are bending every effort toward accomplishing the defeat of the Borland amendment through the President's veto. Failing in this, they will direct the fight toward obtaining an appropriation for additional pay for overtime work.

The President could not afford to have 240,000 clerks cripple the departments of the Government by walking out in war time, so he was forced by the demands of organized labor to veto the Borland amendment, and thus said Government employees got their $120 raise in salary and continued to work only seven hours during a world war. And it is interesting to note that they were not satisfied, but have this year forced Congress to grant them a $240 raise each in salary. But what did organized labor do for the gentleman from Missouri? I will let them tell you in their own words.

In the Federal Employee, the official magazine of the National Federation of Federal Employees, for June, 1918, the vote cast by each Congressman on the Borland amendment, requiring the 240,000 Government employees to work eight instead of only seven hours per day, is given, with the following comment:

If a Congressman's votes and policies have been against the interests of employees this fact should be made known throughout his district, and if he has shown an attitude offensive toward organized labor every voter in his district should know it.

And this red-flag admonition to all organized labor voters was sent broadcast into the districts of the various Congressmen who had dared to vote to require employees to work eight hours a day during war times.

Again, from the September issue of the Federal Employee I quote:

THE DEFEAT OF REPRESENTATIVE BORLAND, AS TOLD BY ONE OF OUR BRETHREN WHO WAS IN THE FRAY—A REMARKABLE DEMONSTRATION OF THE VALUE OF UNION SOLIDARITY AND AFFILIATION.

[By Gilbert E. Hyatt, president of National Federation of Postal Employees.]

Those ultraconservative members of the civil service who have not realized the value of organization, particularly in its inevitable and most beneficial aspect, that of affiliation with the other great organized agencies under the banner of the American Federation of Labor, have been given a demonstration so plain that he who runs may read of what these things mean and of the real spirit of unionism.

No Federal employee is ignorant of the constant persecution of his brothers in the District of Columbia under the guise of establishing what Mr. Borland was pleased to name an eight-hour day. The single-minded persistence of the advocate of this measure, culminating in the veto by President Wilson of the appropriation bill carrying the amendment in question, is too well known in all details to need repetition, but the story of Borland's rebuke and defeat by organized labor simply on this ground is a lesson that every member of the civil service should ponder on, for in it is contained the secret of any future defense that they will make and of any future gains for their cause. * * *

An appeal was made to organized labor and every legislative agent in Washington responded. President Gompers sent a scathing telegram to the Central Labor Union of Kansas City (Borland's home), and the legislative agents of the railroad brotherhoods went on record in the plainest language. The writer of this article had the honor, as a member of the Brotherhood of Locomotive Firemen and Engineman, of bearing their personal message to the railroad men of Kansas City. As a result the Kansas City central body passed a resolution without a dissenting word or vote at a crowded meeting condemning Borland and instructing their legislative committee to organize the campaign for his defeat. A joint committee of railroad men was formed to do a like service for their members, and the outcome was the overwhelming defeat now passed into history. * * *

It should be fully appreciated by the civil-service employees that these men had not one iota of personal interest in the point at issue, and that they had no personal contact with the class of workers attacked. * * * Mr. Borland had done many favors of a personal nature for members of organized labor in his district, and many of the men who worked for his defeat expressed friendship for him, but factional alignments, craft divisions, and personal friendships were thrown aside to fight for a basic standard of their doctrine.

I quote the concluding paragraph of the said telegram sent by Samuel Gompers, president of the American Federation of Labor, also published in this magazine, which is as follows:

Let the inspiring word go forth, "We stand by our friends," and administer a stinging rebuke to men of any party who are either indifferent or hostile.

What was Congressman Borland's crime committed for which his office was taken away from him as a punishment? He merely asked that Government employees in war times work eight instead of seven hours per day. He conscientiously believed that when we required our soldier boys to work sometimes 24 hours out of the 24, sometimes in trenches drenched and knee deep in mud, on $33 per month, who, if he momentarily slept from exhaustion or should demand a single dollar more pay, would be stood up against a wall and shot in eternal dishonor, that it was not unreasonable to demand of Government employees, many of whom were filling the jobs vacated by those soldier boys, and who were working under pleasant surroundings and safe environments, that in war times especially they should work eight instead of seven hours.

But getting back to the Employment Service, I have just received a letter from a substantial citizen of Denison, Tex., in which he states:

FEBRUARY 27, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR SIR: In to-day's Dallas News I note your reply to the Hon. J. F. Carl, of the State council of defense, giving your reasons for refusing to support the $10,000,000 appropriation asked by the Labor Department for maintenance of the United States Labor Employment Bureau, and I desire to commend you for the stand you have taken. I am inclosing herewith the first page of the Denison Labor Journal, a publication supported and operated by the Labor Trades Council of this city, on which I have marked a couple of items that will substantiate the claim you asserted that the attempt is being made to "unionize" the negroes of the South and thereby make their employment unprofitable.

You will observe that this new organization is the "Domestic Union" and is restricted to colored "ladies" who do the "washing" and other household work and who the organizer says are underpaid. These organizers are in the employ of the United States Labor Board and are drawing salaries both from the Federation of Labor and the Government. No wonder they want the appropriation made. I have been flooded with telegrams from labor leaders from all portions of Texas, as well as other States, requesting items favorable to the Employment Bureau and asking for indorsement as well as telegraphic requests to my Congressman and Senators to support the appropriation, all of which I have declined to do, because I think it is the most gigantic hold-up ever attempted to be made upon the American public.

The following are the items from the Denison Labor Journal of February 22, 1919:

MISS BERRY GIVES ACCOUNT OF DENISON WORK.

SHERMAN, TEX., *February 18.*

To the Denison Labor Journal, greetings:

Having just completed two weeks' work in your city, I feel the organizations will be interested in knowing the following locals voted to affiliate with the Texas State Federation of Labor:

The Railway Carmen, Railway Clerks, Railway Expressmen, Maintenance of Way Men, both the white and negro locals; blacksmiths, painters, and, I am sure, a number of small locals will take similar action when they next meet. Was also successful in organizing a new local with 33 charter members, namely, "The Woman's Domestic Union." This organization promised to make a good, strong labor organization and will assist in bettering the conditions of the underpaid working women of Denison, thereby making better citizens.

I hope to see Denison's labor organizations 100 per cent in the State Federation of Labor by May 19, when our next convention convenes in Beaumont.

Fraternally,

MYRTLE BERRY,
Second Vice President, Texas State Federation of Labor.

—

NEGRO WORKERS ARE RAPIDLY LINING UP.

The Colored Maintenance of Way and Railroad Shop Laborers Union No. 854 met at Taborian Park promptly at 7.30 with all officers present. Considerable business of a routine nature was attended to, besides some special business. Nineteen new members were received and obligated. The new union is growing fast, and it is hoped and believed that at an early date every colored laborer eligible to membership in our order will be enrolled.

—

COLORED WOMEN FORM NEWEST DENISON UNION.

Friday night of last week Miss Myrtle Berry, organizer for the Texas Federation of Labor, addressed quite a number of colored women at Taborian Park Hall and succeeded in organizing a culinary and domes-

tic union among them, with a membership of about 33 members. They seemed very much pleased with Miss Berry's address, as she made it very plain to them that they were in need of an organization.

A. W. B.

Here is another letter from Director Densmore relative to the claim for return transportation, dishonoring the promises made by one of his Government agents:

UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, February 26, 1919.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR MR. BLANTON: This will acknowledge receipt of your favor of the 24th, in which you inclosed communication from Mr. S. C. Autry, of San Angelo, Tex., relative to a claim made by Mr. W. A. Posey, of that place.

We regret to say that no men were promised return transportation to their homes from projects constructed by the Government. In many cases transportation to a job was, of course, furnished. No provisions, however, were made or even promised the men for their return transportation.

We also note what Mr. Autry has to say in his letter about a representative of the Employment Service advising Mr. Posey not to take his tools with him. This seems to be very unusual, for, as you know, it is very necessary for a carpenter to have his tools; that is, if he expects to work at the carpenter trade; and we feel that there has been a misunderstanding on the part of Mr. Posey.

Very truly, yours,

J. B. DENSMORE,
Director General.

Mr. Frank Morrison, secretary of the American Federation of Labor, on February 25, 1919, in sending to each Congressman a copy of Samuel Gompers's 192-word cablegram, and besides asking us to support the union-labor program, and requesting specially that we support this proposed $10,000,000 extra appropriation for the Employment Service, stated:

There is great danger that the attitude of Congress, in the defeat of various measures which might relieve the present industrial situation, will result in increasing the unrest and uncertainty prevailing in this country.

When our soldier boys come home and learn of the millions of dollars wasted when building cantonments, shipping, and other public works, where laborers were told not to work too fast or they would be discharged, and they learn of the 6,000 strikes and the refusal of Mr. Gompers to have the "work-or-fight" order apply to organized labor, they will promptly attend to any revolution which any discontented $11-a-day members of organized labor may start.

EXTENSION OF REMARKS
OF
HON. JAMES P. MAHER,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.

Mr. MAHER. Mr. Speaker, I take great pleasure in voting for the resolution now before the House for the self-determination of Ireland.

Every man worthy of the name has an interest in the land that gave birth to his father and mother. This was clearly demonstrated by President Wilson when he visited England, as it was a great pleasure for him to visit the church of his grandparents.

If we are going to give self-determination to the small nations of Europe, Ireland should receive the first consideration, for she has never accepted the rule of Great Britain and has always demanded her freedom. We hear the arguments advanced that England has granted liberal laws to Ireland—the 17-year purchase act, the old-age pension, and other beneficial laws. If you take a bird and place it in a cage it is no satisfaction to the bird to know that his cage is made of gold; he wants his freedom, and he will get it at the first opportunity when the door is left open. And now we feel that the door of opportunity is open for Ireland to get self-determination, when the nations of the world in council assembled are discussing the right of self-determination for small nations. Ireland has never come into the courts pleading or praying for any special consideration; her people neither bow or kotow to the Kingdom of Great Britain. They demand fair play and a long-delayed justice.

EXTENSION OF REMARKS
OF
HON. DAN V. STEPHENS,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. STEPHENS of Nebraska. Mr. Speaker, I desire to insert in the RECORD some correspondence on the subject of the discharge from the Army of conscientious objectors for the general information of the public:

FEBRUARY 21, 1919.

MY DEAR MR. STEPHENS: I herewith return the resolution adopted by the Legislature of Nebraska inclosed in your letter of February 20.

The problem of the "conscientious objector" was a complicated one, and the measures taken by the Congress and the War Department to deal with it covered a wide range of facts and a variety of conditions. The individuals released from the Leavenworth Prison by way of clemency, referred to in the resolution, were released after a careful judicial inquiry into the circumstances of their imprisonment by a committee consisting of Maj. Kellogg; Dean Stone, of Columbia University Law School; and Judge Julian W. Mack, of Chicago. The special form of discharge contains the words set forth by Congressman Stark in his paper, which is also correct in its statement that there was no power in the Secretary of War to affect the pay status of these men.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. DAN V. STEPHENS,
House of Representatives.

LINCOLN, NEBR., *February 5, 1919.*

DAN V. STEPHENS,
Washington, D. C.

DEAR SIR: The following resolution was adopted by the State Legislature of Nebraska and is hereby transmitted to you:

[Legislature of Nebraska, Thirty-seventh session.]

A RESOLUTION.

Whereas press reports state that several hundred men who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country, or support thereof, are to be given and are being given honorable discharge from the Army, fitted out with a complete outfit of civilian clothing, and paid the full wage, and in some instances fifteen to twenty-five dollars more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country, and who are anxious to be discharged and return to private life; loyal and unselfish men, who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government, and with no provision made for rewarding and honoring those who have saved the country and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore, be it

Resolved by the Senate of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war, and we call upon the Congress of the United States to condemn the said action of Secretary of War Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

Resolved, That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of Congress and Senators from this State.

D. M. AMSBERRY,
Secretary of State.

STATEMENT OF FACT BY EX-CONGRESSMAN STARK OF NEBRASKA.

[Advertisement.]

In the Literary Digest, February 8, 1919, page 33, appear comments on conscientious objectors, in part as follows: "The special form of discharge presented by the Secretary contains this sentence: 'This is a conscientious objector who has done no military duty whatsoever and refused to wear the uniform.'"

Based on report of January 7, 1919, by Julian Mack and Harlan F. Stone, members of the board of inquiry on conscientious objectors, stating, "In the opinion of the undersigned clemency should be promptly exercised in their cases." Same was approved by the Secretary of War directing "that Form No. 526, A. G. O., be used for their discharge as provided in paragraph 4, War Department Circular No. 97, 1918, the following remark being placed theron: 'This is a conscientious objector who has done no military duty whatsoever and refused to wear the uniform.'"

Official U. S. Bulletin, January 23, 1919: Being based on "An act to authorize the President to increase temporarily the Military Establishment of the United States" approved May 18, 1917, and, in part, as follows: "And nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or

principles of said religious organization, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant."

Under the above law the conscientious objectors were entitled to pay due, and having refused to wear the uniform, they were entitled to money in lieu of clothing allowance. As to the suit of clothes, the United States makes about the same allowance as the State of Nebraska on a discharge from the penitentiary, a decent suit of clothes, an overcoat between the 1st of November and the 1st of April, $10 in money, and a Bible. Under that law, why not discharge conscientious objectors after the armistice was signed. The Government would have to subsist and pay them with no corresponding benefits.

If the order of Secretary Baker is not approved by the public the remedy is to have Congress make another law and repeal this one which is now in operation. Secretary Baker, not being an anarchist, Bolshevikl, I. W. W., or ignoramus, and desiring to save the public money, obeyed the law.

To call the above "special discharge" an "honorable discharge," especially with the remark placed thereon by order of Secretary Baker, is a silly falsehood, and, in the name of every man who has an honorable discharge from the United States Army, Navy, or National Guard, I enter my protest against the colossal ignorance evidenced by the resolution passed by both branches of the Nebraska Legislature.

AURORA, NEBR., *February 17, 1919.*

Concurrent Resolution of the Legislature of North Dakota Favoring the Establishment of Direct Rail Routes.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. YOUNG of North Dakota. Mr. Speaker, following is a copy of a concurrent resolution adopted by the Legislature of the State of North Dakota, certified by Hon. Thomas Hall, secretary of state, favoring the establishment of direct rail routes:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring direct rail routes.

Whereas the Federal Government of the United States is presumably operating all railroads as a unit for the benefit of the entire people of the United States, irrespective of selfish interests of the former management of several individual lines of railroad; and

Whereas we believe the shortest and best possible routes between all points on existing lines should be utilized and reasonable train service established thereon and reasonable rates be charged for service rendered; and

Whereas there are no through passenger or through freight trains operating via Linton, N. Dak. (the northern terminal of the branch line of the Chicago, Milwaukee & St. Paul Railroad), between points on said railroad in South Dakota and Bismarck, the capital of North Dakota; and

Whereas the past and present policy of the management of the Northern Pacific Railroad Co. has been to obstruct and prevent the establishment of through freight and passenger service via Linton on the shortest line between western North Dakota and central South Dakota; and

Whereas the people of both North and South Dakota are entitled to much better, shorter, cheaper passenger and freight service than that now offered between these sections; and

Whereas, at Bismarck, N. Dak., there are ample terminal facilities, roundhouses, machine shops, stockyards, sidetracks, and division superintendent's headquarters on the Soo Railway, and lines for the North and West as well as for the East diverge at Bismarck, N. Dak., where connection may be made with Missouri River boats; and

Whereas through train service may profitably be established by utilizing a short mileage on each of the three railroads; and

Whereas an emergency exists, in that the immense lignite fields of North Dakota remain undeveloped and the live-stock industry of western North Dakota would be greatly stimulated were it not for the excessive rates of freight and inadequate train service provided between North Dakota and South Dakota: Therefore be it

Resolved, That our Senators and Representatives in Congress be urged to present to the Hon. Walker D. Hines, Director General of Railroads, the protest of the State of North Dakota against the prevailing railroad passenger and freight service between west North Dakota and South Dakota, and the excessive rates now charged for inadequate service established by the former management of the Northern Pacific Co., to the exclusion of the railroads from the capital of North Dakota; and further, be it

Resolved, That the Director General of Railroads be urged to direct the immediate establishment of through passenger train service and through freight train service, using the Chicago, Milwaukee & St. Paul tracks from South Dakota points to Linton, N. Dak., and the Northern Pacific Railway tracks from Linton, N. Dak., to Moffit, N. Dak., and the Minneapolis, St. Paul & Sault Ste. Marie Railway tracks from Moffit, N. Dak., to Bismarck, where he may utilize the terminals of the Soo Line at Bismarck; and that the Director General of Railroads be urged to prepare reasonable joint through rates for the service to be rendered based upon the mileage of each line used.

On the Irish Resolution.

EXTENSION OF REMARKS
OF
HON. ANTHONY J. GRIFFIN,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. GRIFFIN. Mr. Speaker, we are living in great times. The light of justice is at last penetrating the dark places where tyranny has long held sway in undisturbed dominion. And out of this new dispensation has come the determination to end the reign of brute force, now and forever. Peoples long held in bondage are to be freed and new States to be created. The granting of that boon will not be envied or grudged; and I hope it will not be deemed an invidious comparison to say that no nation in the world to-day is more entitled to the sympathy of Americans in its ambition for recognition than is Ireland. To her we stand in everlasting indebtedness. Her best sap has entered every fiber of our national being, and in all our struggles, from colonial days to this—from Lexington to the Marne—her warm and generous blood has flowed most copiously in behalf of freedom and of humanity.

In all our history Irish names stand out among the foremost in art, literature, and industry—in peace, no less than in war. It is no slur to your memories to remind you of the names of Count Dillon, Barry, Sullivan, McDonough, Jackson, and McKinley. Many a man sitting here, who can not account for his Irish name or for his religion—be he Methodist or Baptist, Presbyterian, or Anglican, has only to study the penal laws administered by England in Ireland in the eighteenth century—the most barbarous and atrocious in all history. He need only follow the tribulations and the wanderings of the devoted sons of Erin, forced, by those laws, to seek a haven of free speech and free religion in the Colonies. Let him study the history of the Irish redemptioners, forced to make human chattels of themselves to escape a more degrading bondage.

I am not one of those unrelenting students of history who can not forgive past injuries. I harbor no resentment against generations long dead, and to rekindle the ashes of the past is not my purpose.

But if you want to understand the viewpoint of Ireland you must go back to her past sufferings. The study of this will repay your labor.

It is a fact that, from the time that Christianity came to Ireland in the early part of the fifth century, for 400 years her monasteries were the most advanced educational centers of Europe. Her missionaries carried the gospel into Britain and across the Channel throughout Europe. Two hundred and fifty-one of these early Irish knights of the Cross are venerated to this day from Scandinavia to Italy; from France to the Ukraine. Montalembert in his history, entitled "The Monks of the West," has given us a wonderful account of the civilization of Ireland. He states that the Irish monasteries were virtually universities in which music, architecture, and the working of metals were taught, and the languages of Greece and Rome studied with passionate zeal; that one of the oldest manuscripts of Horace in existence, namely, that in the library of Berne, Switzerland, is written in Celtic characters, with notes and annotations in the Irish language. He also assures us that Alfred the Great of England received his education in an Irish university.

Take a rapid glance at the annals of Ireland, and you will find some of the most remarkable ironies of history.

First. That it was Christianized by a Gaul, St. Patrick.

Second. That Ireland for several centuries was the intellectual center of Europe; its universities being patronized by youths from Britain and from the Continent.

Third. That the Anglo-Saxons received their learning from Ireland.

Fourth. That Ireland, which later was to make so many sacrifices for her fidelity to the Papacy, had the theft of her birthright—her freedom to exist as a separate nation—sanctified by a Bull of that very Papacy. For we find that Pope Hadrian IV in 1155 authorized the Angevin King of England, Henry II, to conquer and take possession of Ireland.

Fifth. That her regard for virtue was the immediate cause of her undoing; for it was her indignant expulsion of Dermott McMurrough for the seduction of Devorgilla that brought upon Erin the invasion of Strongbow.

Sixth. That it was the Hanoverian King, George III, of England—the same potentate who sought to throttle liberty in America—who undermined and destroyed the Irish Parliament. And it was the same Lord Cornwallis, who surrendered to Washington at Yorktown, who was commissioned by King George III to carry out his infamous plan of undermining the Irish Parliament—by fraud, corruption, bribery, hypocrisy, and terrorism.

Seventh. That the destruction of the Irish Parliament was chiefly due to resentment for the very pronounced attitude of the Irish people in favor of the Colonies during the American Revolution.

If there is anything which ought to bring the cause of Ireland near to the hearts of patriotic Americans, it should be this early disinterested devotion of the Irish people to the cause of American liberty.

England now professes to be penitent for what George III did to America 143 years ago. Do you note any indication of penitence for the crime of destroying the liberty of the Irish people 118 years ago, when the act of union with Great Britain was forced upon the Irish people against their will?

I think I hear a faint protest: "An Irish Parliament! Who ever heard of an Irish Parliament?" Yes, Mr. Speaker, such as it was, there was an Irish Parliament; and this is its history:

The so-called Parliament was first instituted by the Norman invaders. It was originally a council of the barons, prelates, and "faithful." The upper house consisted of lay peers, abbots, priors, and bishops. The lower house consisted of knights of the shires and burgesses. The lay peers in time lost interest in the study and framing of dry statutes. They asked and received exemption from attendance. The abbots, priors, and bishops also lost active interest and sent their proctors to represent them. The practice then grew up of summoning two proctors from each diocese, who sat with the knights and burgesses in the lower house. As most of the shires were in the hands of the Irish, they returned no members, and the ecclesiastics, the burgesses, and proctors were under control of the English Government. From thence onward the statutes passed were no more the acts of the Irish Parliament; they were only the registered voice of the English Crown. This strange council met at irregular intervals at Dublin, Kilkenny, and Drogheda at the summons of the King's lieutenant or his deputies.

In 1367 a Parliament was held at Kilkenny which imposed heavy penalties on all English who adopted Irish names, speech, or customs. The Norman who married an Irish wife was ordered to be hanged, disemboweled alive, and have his estate forfeited.

In 1372 there was a conflict of authority between the English and Irish Parliaments upon the question of raising larger revenues for administration purposes. The King summoned the Irish Parliament to England to debate the question—a favorite method with English kings and queens. It is needless to say that when the Irish delegation reached the English shore their power to equal debate was very materially impaired. In this case the Irish Parliament yielded and sent a delegation, but at the same time reserved to itself the right to grant or refuse the legislation requested. Of course such reservations were always made before the delegates started. When they got back to Ireland there was little left of the reservation.

In 1494 Sir Edward Poynings, deputy governor of Ireland, had carried the act which bears his name by virtue of which all measures intended to be submitted to the Irish Parliament must first be submitted to the English Parliament. Of course, this rendered the Irish Parliament a mere recording instrument of the will of the English Parliament. But, for that matter, the English Parliament was itself hardly better off. It also was the recording agency of the will of the Crown. The parliament thus constituted, taking always its cue from the sovereign, proceeded to enact laws of cruel rigor. After the fatal rebellion of 1690 in behalf of the exiled James II, Patrick Sarsfield held fast for some time to Limerick, and, finally compelled to surrender, was able to exact a covenant from the English, which might now well be called the first "scrap of paper." One of its articles (article 1) provided that the natives of Ireland would be allowed freedom of religion and contained a promise of repeal of the objectionable penal laws.

The penal laws then existing referred to were as follows:

1. Catholics were debarred from belonging to corporations.
2. Certain civil offices were closed against them.
3. They were subject to fine for nonattendance at the place of worship of the established church on Sundays.
4. The chancellor had the power of appointing a guardian to the children of Catholic parents.

In 1692 at the first session of the Irish Parliament, held after the treaty of Limerick, an oath was framed by the Protestant majority. It was framed in such a way as to make it impossible for any Catholic member to take it. Upon the presentation of this oath the Catholic peers and members of the Commons quitted their respective houses in indignation, and from that time on until the Parliament of Ireland ceased to exist in 1801, over a century, no Catholic Irishman sat in the Irish Parliament.

Justin McCarthy, the brilliant novelist and historian, says:

> Under the penal laws the Catholic population of a Catholic country were deprived of almost every right that makes life precious. Dopping, Bishop of Meath, had proclaimed from the pulpit that Protestants were not bound to keep faith with Papists, and the violation of the treaty of Limerick had justified his utterance. Lord Chancellor Bowes and Chief Justice Robinson had proclaimed from the bench that the law did not suppose any such person to exist as an Irish Catholic. The penal laws certainly did their best to insure that no such person should exist as an Irish Catholic.

Irish Catholics were shut out from every civil or military profession; from every government office, from the highest to the lowest; from almost every duty or privilege that can be obeyed or enjoyed by citizens.

The following is a summary of the penal laws actually in force in Ireland up to the nineteenth century:

1. A Catholic could not sit upon the benches of the Lords or Commons of the Irish Parliament.
2. He could not record his vote for the election of a member of Parliament.
3. He could not serve in the army or the navy.
4. He could not plead at the bar or give judgment from the bench.
5. He could not become a magistrate or a member of a corporation.
6. He could not serve on grand juries or in vestries.
7. He could not be a sheriff, gamekeeper, or a constable.
8. He could not give education.
9. He could not receive education.
10. He could not send his children abroad to be educated. If in defiance of law he, a Catholic, did send his child to receive in continental colleges that knowledge which was refused at home, he was subjected to a heavy fine and the child so educated was excluded from inheriting any property in Ireland or England.
11. Not only was a Catholic denied the practice of his own religion, but conformity to the Anglican faith was enforced by statute. Every Catholic was liable to a fine each month for not attending a place of Anglican worship, and at any time any two justices of the peace could call a Catholic over 16 years of age before them and bestow what property he possessed upon his next of kin if he refused to turn from his faith.
12. Any four justices of the peace could, without the formalities of a trial, send any Catholic refusing to attend Anglican service into banishment for life.
13. Every Catholic priest in the country pursued his sacred calling under a penalty of death.
14. No Catholic might buy land, or inherit it, or receive it as a gift from Protestants, or hold life annuities or leases for more than 31 years, or any lease on such terms as that the profits of the land exceeded one-third the value of the land.
15. Any Protestant discovering that a farm held by a Papist produced a profit greater than one-third of the rent could, immediately upon announcing this discovery, dispossess the Catholic owner and seize the farm for himself.
16. The estate of any Catholic not having a Protestant heir was gaveled or divided in equal parts between all his children.
17. As cases occurred in which Protestants helped their Catholic fellow citizens or relations by holding property in trust for them, it was made legal for any Protestant who suspected another Protestant of holding property in trust for a Catholic to file a bill against the suspected trustee, and, if he proved the case, to take the property away from him.
18. A Protestant might at any time compel a Catholic to sell him his horse, however valuable, for £5, and the horses of a Catholic could always be seized without payment for the use of the militia.
19. In order to guard against the consequences of any exasperation into which these laws might goad their victims, they were rigidly prohibited from possessing arms. Any two justices or sheriffs might at any time issue a search warrant for arms against any Catholic household. Any Catholic who was discovered with any kind of weapon in his possession was liable to fines, imprisonment, whipping, and the pillory.
20. Not content, however, with depriving the Irish Catholic of all the rights of a free man, the penal laws aimed insidiously at his destruction by endeavoring to turn his own kin, his flesh

and blood, his children, and his very wife against him. The eldest son of a Catholic upon apostatizing became heir at law to the whole estate of his father, and reduced his father to the position of a mere life tenant.

21. An apostate wife was immediately freed from her husband's control and assigned a certain proportion of her husband's property.

22. Any child, however young, who professed the Anglican creed was immediately removed from its parents' care and a portion of the parental property assigned to it.

23. Furthermore, no marriage between a Catholic and a Protestant was recognized by the law.

24. The fact that the husband and wife were of opposite faiths in itself rendered the marriage null and void without any process of law whatever. A man might leave his wife or a woman her husband, after any period of wedlock, no matter how long, and be free to marry again, and bring a legalized illegitimacy upon all the offspring of the former marriage.

You must not draw the conclusion from this fearful array that the Anglo-Saxon is bloodthirsty, cruel, or inherently unjust. Not to him, however, must be charged these cruelties, but to the rapacious Norman—the invader of both Albion and Erin. There is no doubt that the Norman was essentially a marauder and brigand in all his instincts. His feudal system of destruction of individual land ownership and its oaths of fealty to the overlord destroyed all love of liberty and hope of progress. Even the Anglo-Saxon himself succumbed to the Norman sword. The difference between the Anglo-Saxon and the Celt was that, when conquered, the Anglo-Saxon submitted, whereas the Celt never conceded the conquest and never surrendered.

In March, 1720, the English Parliament passed an act taking away from the Irish House of Lords the power it had heretofore exercised as a judicial tribunal or appellate court "to examine, correct, and amend the judgments and decrees of the courts of justice in the Kingdom of Ireland."

Due to the efforts of Henry Grattan the Poynings law was repealed and the Irish Parliament restored in 1782 to somewhat of its power and jurisdiction. The vicious system of so-called rotten boroughs or pocket boroughs was still maintained. That situation, however, was not the subject of much complaint at the time because precisely the same situation prevailed in England herself. As soon as it entered the dull intellect of King George III what the possibilities of Irish autonomy were he began to repent of the boon granted.

Although the Irish Parliament was not composed of Catholics (for a Catholic could neither vote nor hold office) it nevertheless showed signs of yielding to the universal demand for religious emancipation and the abolition of the various test oaths and acts which prevented the great bulk of the Irish people from participating in their government. King George III then instituted a system of intrigue intended to eventually break down and destroy the Irish Parliament.

The outbreak of the Irish Rebellion of 1798 gave the King the opportunity to put his plan into operation. He selected as viceroy of Ireland Lord Cornwallis, and to assist him in the process of extinguishing the National Parliament of Ireland he was accompanied by Lord Castlereigh as Irish secretary (the man whom Byron spoke of as "a wretch never named but with curses and jeers"), while Lord Clare was put in the post of lord chancellor. This was the triumvirate assigned the odious task of destroying by corruption, fraud, and treachery the Irish Parliament. In justice to Lord Cornwallis it should be said that he regarded his task as personally obnoxious. His letters reveal the disgust with which the tasks assigned to him were regarded. He tells of the manner in which the Castlereigh gang and their associates were continually crying out for more severity, more imprisonments, more torture, and more blood. But Lord Castlereigh and Lord Clare do not appear to have had such qualms of conscience. They went about their work as though it were congenial.

Lord Castlereigh made the public announcement that every nobleman who returned members to Parliament should be paid £1,500 for every member so returned; next, that every member who had bought his own seat should be paid back the money he had paid for it; and, last, that all members of Parliament who were losers by the union should be compensated for their loss, and that the sum of one and one-half million pounds should be voted for that purpose. Bishoprics, judgeships, and other offices in the navy, army, and in the church were freely given. Forty new peerages were created, and it is a term of reproach even to this day to be known as "a union peer."

Grattan, who had retired from Parliament in disgust at the outbreak of the hopeless rebellion of 1798, came back to the House of Commons in the hope of fighting the act of union. He was assisted by Sir John Parnell, the ancestor of the Parnell who later distinguished himself in the fight for Ireland's cause. The battle for the retention of the Irish Parliament was hopeless from the first. The moment that the power of the Crown of England came into the struggle there was no longer hope for autonomy. The act of union was passed in 1800 and went into effect the 1st day of January, 1801.

It will thus be seen that the granting of a parliament to Ireland would be no more than an amende honorable—an appropriate reparation. If 150 years of wrongful usurpation has failed to make right the destruction of Polish autonomy, the Irish can well claim that the basis of their grievance was much more recent.

How can England, with a straight face, enter a league of nations, promising autonomy and self-determination to distant nations, without doing a modicum of justice to the devoted, brave, long-suffering race, praying, pleading for so long for relief at her very doorstep? Why withhold from her nearest small neighbor what she has granted ungrudgingly to South Africa, to Australia, and Canada?

And why should this American Congress, the Congress of an ally and friend in the greatest and most idealistic war in all history, hesitate to point out to the peace conference this staggering inconsistency?

Work and Homes for Returning Soldiers, Sailors, and Marines.

EXTENSION OF REMARKS

OF

HON. EDWARD T. TAYLOR,

OF COLORADO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 4, 1919.

Mr. TAYLOR of Colorado. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to again call the attention of the House and the country to the very great importance of Congress as speedily as possible enacting some appropriate legislation to provide suitable employment and permanent homes for our returning soldiers, sailors, and marines. As the House well knows, I have for many months been diligently cooperating with Secretary Lane, of the Interior Department, in his splendid efforts toward the adoption of some constructive and far-reaching national policy upon this subject. I have been receiving a great many petitions, letters, and telegrams on this subject almost every mail for several months, urging and appealing to Congress for this legislation. These appeals come from people in all different walks of life, from the President of the United States and the governors of many of the States and from tens of thousands of soldiers, sailors, and marines, as well as hundreds of chambers of commerce and other business men's associations, including the mayors of towns and cities and public-spirited, far-seeing people of all kinds. I desire to insert in the RECORD a letter received by me the other day from the President of the United States, as follows:

THE WHITE HOUSE,
Washington, February 27, 1919.

MY DEAR MR. TAYLOR: I am very strongly in favor of the measure which you have introduced in the House and for which I understand a rule has been passed. This bill is well devised to invoke the support of every Member of the House who wishes to positively recognize the services of our soldiers and sailors who want to make their homes upon our soil. It is an extension of the idea which underlies the reclamation act. Its purpose is to bring unused lands into use and to do this by the labor of men who wish to make their homes upon it. I trust you will be successful in securing its passage at this session of Congress.

Cordially, yours,

WOODROW WILSON.

Hon. EDWARD T. TAYLOR,
House of Representatives.

I also insert in the RECORD the following telegram from the commissioner of immigration of Colorado, as follows:

DENVER, COLO., *March 1, 1919.*

Hon. EDWARD T. TAYLOR,
House Office Building, Washington, D. C.:

Colorado warmly approves your report on bill for reclamation and development of unoccupied lands of West, and urges adoption of bill before adjournment of Congress. Failure to do so will show utter lack of appreciation of needs of soldiers, sailors, and marines returning to civil life. Colorado Legislature on record for cooperative bill carrying sufficient appropriation. All possible pressure should be brought to bear to induce congressional action. State act may fail of passage if Congress refuses to act, and subsequent action by Congress will be too late for State cooperation.

EDWARD FOSTER,
Commissioner of Immigration.

I also insert a telegram from the secretary of state of Colorado, showing the approval of this matter by the Colorado Legislature:

DENVER COLO., *February 27, 1919.*

Hon. EDWARD T. TAYLOR,
House of Representatives, Washington, D. C.:

Senate joint resolution No. 12, pledging cooperation to Secretary Lane's soldiers' settlement plan, adopted by both branches of legislature this afternoon.

W. H. MCNICHOLS, *Secretary of State.*

I might go on and fill a hundred pages of the RECORD with indorsements of this measure. It is one of the greatest disappointments that has ever come to me during my entire legislative career, extending over a continuous service of 22 years, that this session of Congress is closing without making this most just and necessary provision for our returning soldiers, sailors, and marines. It will serve no good purpose now to denounce or criticize others for this failure, because there is some blame on both sides of the House for this failure. It probably should have been brought up much sooner. But overconfidence in the self-evident justness and absolute necessity for the measure and an overabundance of caution in carefully preparing it has delayed bringing it out until the last few days of the session, and its final consideration has been prevented by filibustering parliamentary tactics, which I hope the country will take due notice of.

As chairman of the Committee on Irrigation of Arid Lands, I called the committee together and held various hearings and meetings of the committee and public meetings upon this subject, and personally introduced the bill that seemed to meet with the concerted judgment of those interested. Then the bill was exhaustively considered and amended and in its amended and finally approved form, to carry out the wishes of the President, the Secretary of the Interior, the Reclamation Service, and the judgment of the Irrigation Committee, and a great many other people interested, I introduced the bill in its final and present form as H. R. 15993, as follows:

A bill (H. R. 15993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.

Be it enacted, etc., That in recognition of the military services of those who have served with the armed forces of the United States and who have been honorably discharged, including former American citizens who served in any of the armed forces of the nations allied against the central powers and who have been repatriated, provision is hereby made for their employment and to furnish opportunity for them to secure rural homes. This act shall be known as the "national soldier settlement act," and the "national soldier settlement fund" shall be created in the Treasury of the United States to carry out the purposes hereof.

SEC. 2. That the Secretary of the Interior, herein styled "the Secretary," may, for the purposes of this act, select projects, acquire property by gift, purchase, deed in trust, cooperative agreement with States, irrigation or drainage districts, municipal corporations, or individuals, or condemnation, build project works upon project lands, including lands the title to which may not be in the United States, but which may be held under contract as herein provided, perform necessary reclamation work, if any, whether drainage, irrigation, the removal of trees and stumps, the building of levees, sea walls, necessary roads, clearing and land leveling, fertilization, sanitation, or otherwise, all of such purchases, operations, and improvements to be paid for from the national soldier settlement fund. The Secretary may withdraw, utilize, and in like manner with other lands acquired hereunder, dispose of portions of the public lands of the United States required to carry out the purposes of this act through agencies designated by him, and patent with prior lien reserved for all sums due or to become due and other appropriate reservations shall be issued by the General Land Office in accordance with such disposition.

SEC. 3. That the Secretary is also authorized from said soldier settlement fund to make farm improvements and advance to settlers under this act short-term loans for further improvements and for needed stock and equipment, to the end that the qualified applicants hereunder may obtain suitable homes and productive farms. He may subdivide the lands into appropriate allotments and dispose of the same to the beneficiaries named in section 1 hereof and upon such terms and conditions as he may deem proper and subject to the terms of this act. He may by general regulations impose conditions as to ability of applicants, so as to insure the United States and the settler, as far as possible, against failure. The Secretary may make appropriate regulations as to the area obtainable by individual applicants as to residence and actual cultivation, as to transfers of allotments so as to avoid excess land ownership and speculation, as to requiring prior liens, as to cancellation of applications and contracts and the forfeiture of payments made thereunder, and as to protecting the interests of the United States, or those cooperating with the United States.

SEC. 4. That the Secretary may cooperate with any State irrigation or drainage district, or municipal corporation, in connection with any project located therein upon such terms as may be agreed upon.

SEC. 5. That moneys expended for any project undertaken shall be fully reimbursed to the United States, the State, or others entitled thereto. To this end the Secretary shall fix the charges upon each allotment, and payment shall be made under such amortization plan and over such period, not exceeding 45 years, as the Secretary may deem best adapted to each project. Deferred payments shall bear interest at a rate of 4½ per cent per annum, payable annually, from the date of contract of purchase. Reimbursements to the United States shall be covered into the national soldier settlement fund, which is hereby reappropriated for expenditure under the terms and conditions of this act.

SEC. 6. That lands may also be dedicated for schools, churches, and other public purposes, and town sites may be developed and opened for sale on such terms, conditions, and restrictions as the Secretary may determine, and patent or deed may issue accordingly with prior lien reserved for all sums due or to become due, and other appropriate reservations. The proceeds of all operations under this act, including the sale of timber and other materials removed from lands, shall be covered into the national soldier settlement fund.

SEC. 7. That in the investigation and construction of projects provided for in this act the services of the beneficiaries named in section 1 hereof shall, so far as practicable, be preferred.

SEC. 8. That the Secretary of War is hereby authorized to transfer to the Secretary of the Interior upon his application for use in connection with the operations incident to the reclamation of the lands herein described any war material not required by the War Department, such as motor trucks, automobiles, dredges, ditching machinery, cranes, explosives, horses, harness, wagons, and other property, as the Secretary of the Interior may be able to utilize in connection with the reclamation work herein contemplated.

SEC. 9. That it is the intent and purpose of this act to authorize and empower the Secretary, and he is hereby fully authorized and empowered, through such officers, agents, or agencies, as he may appoint or employ to do all necessary acts and things to enable him to accomplish the purposes and objects of this act.

SEC. 10. That to carry into effect the provisions of this act there is hereby authorized to be appropriated the sum of $100,000,000.

Of course, practically everyone throughout the length and breadth of this country, and especially millions of our boys that are and have been serving in the ranks, know that Secretary Lane has been giving months and months of painstaking, energy, research work, public speaking and writing toward bringing about some congressional action on this subject. The Secretary first presented the subject to the people in May, 1918, and in his annual report for the fiscal year ending June 30, 1918, he very clearly and elaborately set forth the necessity for legislation of this kind. His report was forcibly indorsed by President Wilson at the opening of this session of Congress, on December 2, 1918, when in his address to Congress he very earnestly urged the enactment of the legislation recommended by Secretary Lane, as follows:

PRESIDENT WILSON URGES SUPPORT OF SECRETARY LANE'S PLAN.

EMPLOYMENT FOR RETURNED SOLDIERS.

The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies. Those who are of trained capacity, those who are skilled workmen, those who have acquired familiarity with established businesses, those who are ready and willing to go to the farms, all those whose aptitudes are known or will be sought out by employers will find no difficulty, it is safe to say, in finding place and employment. But there will be others who will be at a loss where to gain a livelihood unless pains are taken to guide them and put them in the way of work. There will be a large floating residuum of labor which should not be left wholly to shift for itself. It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labor in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake.

PLANS FOR RECLAIMING LAND.

I particularly direct your attention to the very practical plans which the Secretary of the Interior has developed in his annual report and before your committees for the reclamation of arid, swamp, and cut-over lands which might, if the States were willing and able to cooperate, redeem some 300,000,000 acres of land for cultivation. There are said to be 15,000,000 or 20,000,000 acres of land in the West, at present arid, for whose reclamation water is available, if properly conserved. There are about 230,000,000 acres from which the forests have been cut but which have never yet been cleared for the plow and which lie waste and desolate. These lie scattered all over the Union. And there are nearly 80,000,000 acres of land that lie under swamps or subject to periodical overflow or too wet for anything but grazing which it is perfectly feasible to drain and protect and redeem. The Congress can at once direct thousands of the returning soldiers to the reclamation of the arid lands which it has already undertaken if it will but enlarge the plans and the appropriations which it has intrusted to the Department of the Interior. It is possible in dealing with our unused land to effect a great rural and agricultural development which will afford the best sort of opportunity to men who want to help themselves; and the Secretary of the Interior has thought the possible methods out in a way which is worthy of your most friendly attention.

WOODROW WILSON.

I submitted the bill in this form to the Department of the Interior for careful consideration and an official report and the Secretary reported thereon as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 17, 1919.

MY DEAR MR. TAYLOR: I am in receipt of request for report upon H. R. 15993, a bill providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes.

The primary objects of the bill are to afford an opportunity for employment of our soldiers, sailors, and marines upon their return from the existing war, and to afford them, or such of them as may desire same, a chance to secure homes upon the lands reclaimed and improved, as proposed by the act. In addition to these ends, the bill if enacted and carried into effect, would result in the reclamation and improvement of immense areas of lands in the United States, public and private, now unused and undeveloped, thereby adding to the taxable property and values of the States in which they are located, and of the Nation at large. The bill does not contemplate the donation of the funds expended, but provides for their return within a fixed period, with interest.

The general plan received the indorsement of the President in his address to Congress December 2, 1918. His remarks upon the subject and extracts from my annual report for the year ended June 30, 1918,

are found in the inclosed pamphlet entitled "Work and Homes for Our Fighting Men."

H. R. 13651, introduced by Mr. BYRNES of South Carolina, and referred to the Committee on Appropriations, is a brief bill, proposing to confer general authority to carry out this plan, and to appropriate the sum of $100,000,000 therefor.

The bill which you submitted for report is along the same general lines, except that it contains more details and does not make an appropriation, merely authorizing same.

A memorandum prepared in this department discussing in a general way the advisability of such legislation as is here proposed and the probable procedure thereunder, if enacted, is inclosed.

I wish to emphasize what I believe to be the vital importance of this legislation and to urge its immediate adoption. Our soldiers, sailors, and marines are being discharged from the service in large numbers and the problem of providing for their employment and future welfare is pressing. If it is not possible to secure an immediate appropriation for this work, I most earnestly recommend that this bill be enacted at the earliest possible moment.

Cordially, yours, FRANKLIN K. LANE,
Secretary.

Hon. EDWARD T. TAYLOR,
Chairman Committee on Irrigation, House of Representatives.

I notice every day in the leading papers throughout the country editorials indorsing this measure. In the Washington Evening Star of yesterday is an editorial as follows:

OPEN THE LANDS TO SOLDIERS.

Of all the bills now pending at the Capitol none is more urgently needed than that which proposes the opening of public lands to former soldiers, who upon discharge from the Army will seek employment and opportunity for settlement. Secretary Lane has given convincing reasons for its passage. There are millions of acres of land awaiting use in various parts of the country. They could not be put to better use than in furnishing homesteads for the men who have answered the Nation's call to duty, have contributed to the victory and now await some chance for earning a livelihood. Two ends will be served by putting these men on the lands. They will be given productive employment that will sustain them, and the fertile areas now idle will contribute to the food supplies and enrich the country. Adjournment without action on this bill will be a neglect, not only of opportunity to benefit the Nation, but of a duty which Congress owes to the men who have served the country faithfully and heroically.

The last article written by the late President Theodore Roosevelt was an editorial for one of the magazines in which he indorsed with his characteristic vigor this plan of Secretary Lane as follows:

We should spend hundreds of millions of dollars reclaiming land for the returning soldier and arranging labor bureaus so that he may be certain to have every chance to work. The man who has gone into the Army should be given in peculiar fashion the best chance that this country affords to become a farmer or to work at his trade or profession. If possible, he should be encouraged to become a farmer, in accordance with some such plan as that proposed by Secretary Lane.

In brief, this bill provides work and homes for our returning soldiers, sailors, and marines in making practical and comprehensive plans for rural development, which may be concisely stated as follows:

PLAN FOR PROVIDING EMPLOYMENT AND HOMES FOR RETURNED SOLDIERS, SAILORS, AND MARINES.

INTRODUCTION.

During the war just terminated millions of men have been withdrawn from their normal pursuits to engage in the struggle, either as members of the military forces or as workers in various industries essential to the prosecution of the war. Their places have largely been filled by older men, by boys, or by women, and while some will be reinstated in their old positions, the majority of those, particularly those in the military service who have become used to life in the open and have had created in them a spirit of ambition, will be looking for the opportunity for active outdoor employment and for homes upon the land. Thousands of inquiries have already been received from those in the military service.

A large percentage of the soldiers who entered the war from the other allied countries have shown a desire for the wholesome open life of the country. France, Great Britain, Canada, Australia, and New Zealand have appropriated large sums of money and set aside millions of acres of land. England has multiplied the original appropriation by 10. The Australian Commonwealth, which has about one-twentieth the population of the United States, has made available $200,000,000 to help soldiers improve and equip their farms. An equivalent appropriation in this country on the basis of population would be $4,000,000,000. Notwithstanding this generous provision, it has been found impossible to secure and improve farms rapidly enough to meet the demand.

The introduction of a similar policy here will not only meet the desires and aspirations of a large number of soldiers, but the benefits of the development which will result will largely justify the cost in enabling this country to produce an abundant food supply for its industrial workers and thus be better able to meet the economic competition of the future. It is a plan which would offer immediate employment to many thousands of returning soldiers, lessen industrial disturbance, and bring into operation methods and policies for rural development which this country needed even if there had been no war.

THIS OPPORTUNITY SHOULD BE NATIONAL IN SCOPE.

In every State there are great areas of good land which are now either unused or sparsely settled because of facts aside from fertility. Some of this land requires reclamation. The arid lands need works for irrigation, wet lands need to be drained, and other lands need to be cleared of stumps and undergrowth. In addition to these, there are areas of neglected lands or lands badly used, which can be acquired at reasonable cost and a new, vigorous, and successful rural life created through carefully thought-out community developments.

PREPARATION OF THE LANDS FOR HOMES.

It would be an ill-advised and deceptive plan which would dump the returned soldier upon an undeveloped, unimproved tract of waste land. Failure would be almost inevitable. Other countries have seen the light and have already adopted comprehensive plans for placing their soldiers upon improved farms. The plan here proposed is for the United States to construct the necessary roads, drainage, irrigation, or other improvement works, provide the necessary house, farm buildings, and fences, level and prepare all or part of the land, furnish implements and equipment so that the settler may immediately begin productive work upon his farm, be self-supporting, and from the very beginning begin to repay the sums expended for his benefit.

COOPERATION WITH STATES DESIRABLE.

Experience elsewhere has shown that the best results in soldier settlement come through cooperation between the Central Government and local authorities. This combines unity of plan and expert direction with the practical knowledge and experience of the localities where development is taking place. The investigations thus far made in this country indicate that States and private owners will be glad to cooperate with the United States in the plan for providing homes by contract or cooperative arrangement under which the lands will be put in cultivation by their owners, the work of reclamation and improvement performed by the General Government, the selection of settlers and supervision of settlement areas to be carried out either by the Federal Government or the State, as circumstances might prove most expedient, and the whole sum spent on reclamation and improvement, including a reasonable price or value for the land, reimbursed by the settler in long-time payments, with interest at 4 per cent per annum.

SECURITY FOR SUMS EXPENDED.

The lands and all improvements thereon would be subjected to such liens, mortgages, or other form of binding and prior security as would make reimbursement of the money expended assured, and one of the prerequisites of undertaking construction of a project would be the subjecting of all lands and improvements to such a lien.

ADVICE AND ASSISTANCE OF OTHER DEPARTMENTS.

No State or privately owned lands would be included in an improvement project until the Federal Farm Loan Board had passed upon and fixed the land values and the States or owners thereof had agreed to this finding. The Department of Agriculture would be asked to cooperate in determining the quality of the soil and the agricultural fitness of the land. The creation of new bureaus or departments will not be necessary, because existing agencies can be utilized therefor.

AMORTIZATION BY SETTLERS.

The plan does not involve any gift or donation to the settler. He is expected to return the entire cost of the land and improvements with interest at 4 per cent per annum from the date he purchases the land. However, by providing for repayment in small installments extending over a period of 40 years, the burden will be light and his investment will very nearly amortize itself.

EMPLOYMENT OF SOLDIERS, SAILORS, AND MARINES.

The work of reclamation and improvement will require the services of many thousand men, from trained engineers to laborers, and thousands of soldiers will thus be provided with immediate and desirable employment in constructive work under the best conditions for their welfare, opportunity to become acquainted with the soil and climate, with the possibilities of the region, and upon accumulation of enough money to make the initial payment upon a farm they will be given the preferential right to secure a home upon the project upon which employed, or any other project as they may prefer.

FARMS AND FARM-LABORER ALLOTMENTS.

It is planned to establish farm units of such area and character as will be amply sufficient for the support of a family; to reclaim or improve the land, so that it will be in condition for immediate farming operations and the production of crops therefrom; to place the necessary farm improvements thereupon and to provide equipment. The farm-laborer allotments are to be of small areas suitable for the home of one engaged in farming or other community labor, probably not exceeding a maximum of 5 acres, to be equipped with the necessary buildings and homes. The purchasers will be required to maintain their residence upon the lands for eight months in each year for a period of not less than five years, unless prevented by illness or other satisfactory cause. The purchaser will also be required to cultivate the land in an approved manner and keep in good order the buildings, improvements, and equipment, and make such provision for insurance or its equivalent as will protect the interests of the State and the United States in the buildings, improvements, and equipment. In the event of the death of any purchaser the rights under the contract shall pass to his heirs or devisees, who may continue compliance with the requirements or surrender the property upon such terms and conditions as may be agreed upon.

TAXATION.

As stated, the result of the soldiers' settlement will ultimately be a very large addition to the taxable resources of the States and the United States. It is not planned to withdraw the lands included within the projects from taxation by the States, the thought being that the lands and the improvements thereon shall be subject to taxation from and afer date of execution of the contract of purchase by the settler.

EMERGENCY.

The matter is submitted in the form of a short item of authorization and appropriation to be attached to one of the appropriation bills, because the matter involved is emergent and requires immediate action if action be taken at all. Soldiers are being released from service by the thousands and are to-day seeking opportunity and employment. The department has already made preliminary investigations and has numerous projects in sight, some of which could be started at once were funds and authority available. With the necessary authority and money, the plan would be to issue general regulations applicable to the situation, proceed along the plan generally outlined in this statement, and later seek such further authority from Congress as may be deemed advisable.

AN OPPORTUNITY FOR CONSTRUCTIVE WORK.

Billions of dollars have been spent to aid in winning the war. A large part of this expenditure while necessary is now gone, leaving no tangible property of future value to the individual or the country. The small expenditure here planned is for constructive, definite, tangible, and enduring work which for generations will add to the health, wealth, and well-being of the Nation and its citizens. The money to be spent will be reimbursed. Out of waste lands will arise improved farms with comfortable homes, tilled fields, producing orchards, herds of cattle and sheep; definite, tangible, valuable property, adding to the potential and taxable wealth of the States and of the United States.

FEASIBLE PROJECTS.

Preliminary investigations indicate that feasible projects will be found in nearly all of the States and it will be possible to begin work on some of these projects immediately upon authorization by Congress. While no definite plan can be formulated in advance of congressional action, it has been thought that approximately $30,000,000 of the proposed appropriation would be devoted to irrigation projects and the remaining $70,000,000 to the reclamation of swamp, waste, and unused lands.

HOW WILL THIS PLAN HELP THE SOLDIER AND THE NATION?

If the plans now being formulated for creating settlements for soldiers are carried out, it will help returning soldiers and the agriculture of this Nation by—

1. Lessening the expense of subdivision and settlement of large estates.
2. Providing the money or credit needed to improve and equip farms and to furnish land to settlers in small tracts at wholesale prices.
3. Reduce the cost of farm buildings and other permanent improvements by the purchase of material and erection at wholesale and for cash.
4. Giving beginners practical advice about farming operations, and thus prevent costly mistakes and the waste of money and time.
5. Organizing these community settlements for the more effective buying of what they need and the selling of what they produce.
6. Making farming more profitable and attractive by the creation of cooperative organization, and thus bring neighborhoods into close social and business relations.
7. Creating better living conditions for farm laborers and their families.

An interesting and valuable feature is the proposed provision for farm laborers. Many of the returning soldiers will not care to assume the indebtedness or undergo the necessary efforts to pay for a farm and its equipment. They prefer to work for wages, provided they can have a home where they can live with their families in comfort and independence and have living expenses reduced by the production of a large part of their food supply. This will be secured by the creation in these settlements of areas of 2 to 5 acres of land, on which comfortable houses are built and where men who work for wages on the farms or in the industries of the near-by towns can live. The great benefits to wage workers and to their families which come from the establishment of these small holdings in other countries leaves no doubt that this innovation will be a valuable feature of soldier settlements and lead to its adoption as a part of rural life outside.

At a large meeting of the Members of the House before the Committee on Irrigation of Arid Lands, on the 10th of January, this year, Secretary Lane made another very clear, forcible, and convincing statement, and I was instructed by the committee and the other Members present to have it inserted in the CONGRESSIONAL RECORD in order that his views might be preserved and given publicity for the benefit of the country and the welfare of our boys in the service. And I therefore insert that portion of the hearings containing his remarks, as follows:

WORK AND HOMES FOR RETURNING SOLDIERS.

COMMITTEE ON IRRIGATION OF ARID LANDS,
HOUSE OF REPRESENTATIVES,
Friday, January 10, 1919.

The committee this day met, Hon. EDWARD T. TAYLOR (chairman) presiding.

The CHAIRMAN. I take it for granted that everyone here knows the object of this gathering. It is to listen to the Secretary of the Interior present his ideas concerning reclamation matters in connection with providing homes for returning soldiers. The Secretary, as you know, has a very large national program outlined, and he wants the Members of Congress to understand it, and we are anxious to have him explain it to us. We very highly appreciate his appearing before us, and we will all be glad to listen to the Secretary, Mr. Lane.

STATEMENT OF HON. FRANKLIN K. LANE, SECRETARY OF THE INTERIOR.

Secretary LANE. Mr. Chairman, this scheme for providing work and homes on reclaimed land for our returned soldiers, which has been talked about a good deal in the press and which I made one of the principal features of my annual report this year, has, as you know, received the indorsement of the President in his message to the Congress of December 2. I was very proud to see in the papers yesterday morning that the last article written by Col. Roosevelt was an editorial for one of the magazines, in which he indorses this plan that I had presented originally in May, 1918, to the President and to the Congress.

So you can see it has nothing of partisanship in it. It is a plan for the development of our country in a very large and in a very real way. It is a practical plan. We know that it is practical, because what we propose shall be done has been done and is being done.

It is a plan that involves the reclamation of lands of various kinds. I recognise most of you as gentlemen from the West, and you know that for 16 years now you have been passing upon the various reclamation projects that have been brought before you. That work we have carried on with more or less success in a pioneer field. This is an extension and an elaboration of the idea upon which the reclamation act was founded.

The reclamation law, as you know, provided that we should take the arid lands of the West and put water upon them. It was at first thought that it was only necessary to divert the water from the stream.

Later we found it was necessary to build great dams up in the mountains and to bring those waters down through diverging canals and through tunnels and through ditches into lands 50, 60, or 70 miles away from the place where the water was stored. You gentlemen have been liberal in your appropriations for that work. We have spent approximately $115,000,000 in the last 15 years on it. The works built under the reclamation law are now serving probably 2,000,000 acres under irrigation, comprising land that was worth only a nominal sum before it was irrigated.

It has always been a mystery to me why Congress, in its wisdom, did not see fit to extend the same principle to the lands of the South and the lands of the North. We have a vast body of undeveloped land in the United States. This is an incomplete country. It will be hundreds of years before it is entirely developed, but we know now that there are millions of acres of land in the United States that can be saved ultimately from worthlessness and brought into value and made a permanent part of the United States by drainage, by clearing off stumps and brush, and by reclamation through irrigation.

A clear distinction should, of course, be made between the ultimate possibilities of such reclamation, spread over many decades, and the practical possibilities of the next few years. We know that there are many millions of acres of unused and unproductive land in this country. It is self-evident, however, that much of this land is not feasible for reclamation purposes under present conditions. In many cases the present cost of reclamation would be prohibitive; in others the soil conditions appear unfavorable; in others a combination of factors make such reclamation practically impossible at the present time and under present economic conditions.

An appropriation of $100,000,000 would provide for the construction of projects containing approximately 20,000 farms, or, as a rough estimate, a total of only about 1,500,000 acres of cultivated land. There are at present in the United States nearly 7,000,000 farms, so that the addition of these 20,000 farms would mean an increase of less than one-third of 1 per cent. The improved land in farms amounts to something like 550,000,000 acres, so that the addition of 1,500,000 acres to this area already under cultivation would amount to less than three-tenths of 1 per cent. If continued for 10 years, the increase would be only 3 per cent, while the population is increasing five or six times as fast. It can readily be seen that there is little cause for alarm that overproduction and depression of prices of farm products would result from the construction proposed at the present time.

I have been through the South lately. It is a marvelous country; it was a new country to me. I had no understanding of that land. They have in North and South Carolina a 55-inch rainfall during the year, which is distributed in such a way that it is possible to get three crops; but they are not self-supporting because they devote themselves very largely to one money crop—cotton—and possibly tobacco.

There is an Alabama woman named Mrs. Mathis who is one of the real citizens of this country. She is a farmer, and she discovered some years ago the trouble with Alabama, with quantities of splendid rich land. The whole country is a cotton plantation, and they were bringing down their beef and their mutton and their ham and their bacon and their wheat from Kansas City. So this woman said:

"Why not divide our land up and have three subdivisions in each farm, one devoted to supporting the farmer and his family, providing truck and fruit and taking care of the cow; another part given over to the money crop, to tobacco or peanuts or cotton; and the third devoted to sustaining cattle?"

The only official position this woman has held, so far as I know, is to be the nominal representative of the Alabama Bankers' Association. The result of her position has been that she has really changed Alabama into a State that is self-sufficient; and the same thing can be done in every one of these Southern States. I made a trip from here to the southern end of Florida. On the 15th day of December I picked an ear of green corn, what the South calls a "roastin' " ear, and the seed had been planted on the 15th day of October. There is no reason why we should not have in Washington in midwinter green corn from Florida.

I believe I could safely undertake to say that the territory from here to the southern end of Florida could sustain the entire population of the United States, because not half, not one-third, of that land that is cultivable is cultivated. Much of it that is cultivated is cultivated poorly.

Along the coast—and you gentlemen who know anything about this country know this to be true—along the coastal plain there have been great pine forests that have been cut down. This is true in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and eastern Texas; there are also great bodies of these lands in Arkansas and in Tennessee. That land very largely needs to be reclaimed by a very simple process of drainage.

I saw a few acres of swamp land in North Carolina; it is marked upon the Government map as swamp, a great green swamp. They are cutting down the timber on it. In the very heart of this swamp I saw what they call stuck corn. A plow never had been through this land; there had never been a hoe upon it. The land was entirely fresh. Boys had passed along the land, in a row, and with a stick made a hole 6 inches deep in the ground and dropped in a couple of seeds of corn; and they had bins full of this corn, which had been grown in that way. That is the kind of land we want to reclaim. And we can reclaim it by a simple system of drainage canals and ditches.

Gentlemen, there are 40,000,000 acres of tillable land between here and eastern Texas as good land as is under the sun, totally unused.

We have the land; we have it in every part of this country, in the North as well as in the South. One of the richest parts of the United States is Aroostook County, Me. Maine has been deserted in part in her farming regions because the boys have had a lust for the western country that I love, and I can not blame them for that; but they have left good farms there. In Massachusetts it may surprise you to know perhaps that we have one little section of country around Cape Cod where there is some of the richest land in the United States, and it has been proved so in the last two or three years; and in the body of the State they have very considerable quantities of land that needs to be cared for a little bit, cut-over land that has been deserted, that needs to be brought into shape, that will make good farm land. The same thing is true in New York.

I was looking over yesterday a plat of New York which showed three drainage possibilities in that State, and we can get a project there of 60,000 acres of extremely rich land that needs only to be drained.

There are in the United States millions of acres of unused and unproductive land, much of which it is entirely feasible, under present conditions, to irrigate, drain, or otherwise reclaim and bring into use. As I have just said, I do not, of course, propose that we shall undertake the huge job of making all that land serviceable in the next few years to the people of this country and to the world. But I do propose that we shall make a beginning at it, and what better opportunity can there be than this, when the boys are coming back?

There is a doubt, perhaps, in your minds as to whether these boys want to go upon the lands. I am not satisfied with the situation as it is to-day in the United States, and I think you men who have vision, who can look forward two, three, four, five, or six months, must yourselves feel that you have a responsibility in regard to this matter that you can not be indifferent to. There is no man here who would rise and say that he feels sure that the labor market will be satisfactory six months from now, or three months from now, or that there will be a job waiting for the soldier who returns, when he gets to New York, or when he reaches his home. What are we going to do for these men? We can not have them floating about the United States looking for something to do. This is no time for that condition in this country, or in any other country.

There is only one way of meeting a situation like that, and that is by prevision; you have got to see what is going to come before it actually arrives; you have got to have the cunning sense of the aviator who knows he is going to meet an air current before he actually strikes it, and adapts himself to it.

We have an incomplete country; we have an undeveloped country; we need tens of thousands of miles of good roads in the United States. I am not saying to you gentlemen that all the money you should put into providing work for these men against a probable surplus of labor should be put into this scheme, but I believe, and I say it to you very seriously, that you ought to be prepared—and upon you rests the initial responsibility—you ought to be prepared to have some work available to which you can assign a man who comes back from France or from one of the cantonments and who has not a job awaiting him.

The time is coming—yes; it has come—when we must feel a real responsibility for providing not merely for returned soldiers but for the man in the United States, no matter who he may be, who is willing to work. I want to say to this Congress, to the Congresses that are to come, and to this Nation that no man who is willing to work should be without a job, and I will agree personally to provide the work which will give the man a job and add to the wealth of his Nation if you will adopt that policy. It is the wise policy to adopt if we are to have a chance in the United States to prove that democracy is the kind of government that the world wants. [Applause.]

These boys are coming home, and they are coming home with the idea in their heads that the United States will see that they have something to do; they are coming home with the idea in their heads that what they want to do is not to work in an office but to work in the open. My boy has come home. When he left he was in the university. He went into the Aviation Corps and has been in France a year. From the university his intention was to go to the law school and become a lawyer. He has abandoned the idea of the university; he says he is too old now to go to a university. He was only 18 when he left. He will not go into law, and I asked him what he was going to do. He wants to go out West somewhere and go on a farm.

I have hundreds of letters here, and I am going to send extracts from some of them to you, which boys have sent to me regarding this proposition from France and from the cantonments in the United States.

We are meeting exactly the same thing that we met in the Civil War. I do not see any Civil War veterans here, but you can probably recall—and it must be so, because it appears in the records of the Land Office—that the boys of the different States wanted to live the life in the open; and it was these boys who largely settled in and made the western prairie country, and the country I come from in the far West. The great rush to the Pacific coast came along in the seventies. And now our boys are all coming back in the same way, in the same spirit, with the same desire, and the same kind of peculiar self-respect as that of the man who came back from South Africa whom Kipling tells us about in his "Chant Pagan."

It is the story of a man who comes back to be a butler or a gardener in an English house. He has been in the Boer War. He reviews his own personal record in South Africa and then he says, "Me, that has been what I have been; me, that has seen what I have seen; they ask me to carry a letter as far as the post office and be sure to return without getting my feet wet." He has an entirely new vision of his own value, and he has an entirely different desire from that which he formerly had as to the kind of life he should lead.

I had a letter yesterday from a man in France. He said he had been talking the matter over with the boys in his regiment and that probably 80 per cent of them would like to go onto farms. We have a little hospital which is supported by the people in the Interior Department, and we find that about 4 out of 10 of these convalescent boys want to go upon farms. Even the women are stirred up about it. These girls we induced as war workers to go into the fields are anxious that there should be one of these projects where women could prove themselves as farmers.

The secret of this whole proposition, aside from the land and the willingness of the boys to go upon the land, lies in the type of the settlement, in the fact that we must not abandon the farmer once we have given him land. Serious thought must be devoted to the development of a farm-settlement project. In the past it has taken about three crops of men—this is about the wastage, and I think you gentlemen from the West will agree with me on this—it has taken about three crops of men to develop a quarter section of land. The first man has come on as the pioneer and taken up his quarter section. He has lived as long as he could, and he has endured. Of course, he has had the benefit of the game and he has lived a hardy life. He has broken a bit of the land, but after a time his money is gone, another crop of settlers comes, and he sells out. The next man struggles as long as he can and finally the third man comes and that third man stays with the land.

We want to develop a system by which men can go to and stay upon farm community settlements which will be planned. And this absence of previous planning is the weakness of the present haphazard method, or lack of method, in settlement all over this country. Woman has the key to the whole situation. She has got to be satisfied, and she will not be satisfied as long as she lives in isolation.

Our insane asylums in the West are filled with the wives of farmers who have gone crazy in the dreary isolation of farm life. We want to have upon each one of these projects a community settlement, and have the farms radiate out from that settlement, all brought in just as near as possible to the one center, and from that center roads radiating out to the farms. In that settlement should be a good schoolhouse, not a one-story affair, but a good schoolhouse which would be the very center and heart of the whole community, a schoolhouse that would be tied up to these farms that encircle it, where the boy would learn as much as he learns on some Indian reservations now. And, incidentally, this is more than is taught in most of the American public schools, for we try in the best Indian reservations to teach the boy how to plant and raise four crops, how to shoe a horse, how to put up a shack; and we teach the girls how to make one suit of clothes for herself, how to make a hat, how to care for a sick baby, how to care for a sick man, and how to cook all her own meals for a month. We ought to have a central school in every one of the settlements where these children would be tied up to the farm life, and the father would realize that the problems which the boy has in school are problems which deal directly with the production on the farm.

In that settlement there should be a good moving-picture house; there should be a good hall. It should be the center of the social life and the center of the economic life of the whole settlement.

We have got much to learn about marketing. Our farmer is a poor cooperator. He does not know how to get together with a mass of men and work together for a common end. The price of crops does not have to fall because there are more crops produced, if growers know how to market their produce. That is proved conclusively by the experience of our citrus growers in southern California. When I knew that crop originally it was 12,000 carloads a year and the farms were failing in value. Those wise men who came from the East to southern California, who knew nothing about raising citrus fruit, said, "This is not business. We are sending our oranges and lemons into places which are already congested with oranges and lemons, and the result is our bills all come back in the red."

After the transportation and the commission merchant's charges were paid off they got no return for the oranges and lemons. What did they do? They employed a man who knew his business as traffic manager at $15,000 a year. A group of farmers employed that man, and they also employed an expert on diseases whom they got from the Department of Agriculture, and they sent him to Spain and to Sicily to find out what diseases they were threatened with and how to cure them.

Then they built a series of warehouses for themselves and put all their crop through a sieve. They graded it, and then made arrangements with the railroad by which all their oranges could be tested out in the different markets, and if there was a glut in one market the car would go to a market where there was a demand, with the result that to-day there are 65,000 carloads of citrus fruits coming out of that State. And the same thing is being done in Florida to some extent. It can be done in Idaho and every section of this country. You can not make the United States simply improve itself. You have got to put thought into it, and the man on the farm has got to put thought into it.

Now, then, we have the boy, we have the land, we have the scheme, and we do not want to leave that fellow alone unprotected there to work out his own salvation. We want to give that boy, in the first instance, an education as to the kind of agriculture he is to carry on, and then we want to leave with him a sensible man, who will give him directions, so that the scheme will be worked out clearly, so that he simply will not be thrown into the world and forgotten.

It is a perfectly simple thing to do. Every one of the agricultural colleges you support in all the States can provide men who know that particular piece of land and who will stay on there as production managers to give advice to these men as to what is the best crop this year and next year, so far as maintaining the fertility of the soil is concerned and how the crop shall be cultivated. We have tried this thing; we know it can be done.

Now, gentlemen, I have asked, and I think Mr. BYRNES of South Carolina has put in an amendment to the appropriation bill for an appropriation of $100,000,000 for this plan. My only regret about that is that the amount is so small. It is ridiculously, absurdly small. If we contributed in the proportion that Australia has contributed to the same kind of a proposition, we would be appropriating to-day $4,000,000,000. Canada makes an offer of 160 acres of land, and an additional 160 acres as a possibility, and $2,500 plus $500, $3,000 in all, to her returning soldier. Canada has erred in just one respect, I think, in that she has not planned the farm and the farm settlement. She has been wise in giving her men an education, even while they are in the field. They have had behind the lines what they called the Vimy Ridge Agricultural College, in which men still in the army are being given an education, and were being given an education two years ago, against the day of their return to Canada.

I do not know whether you gentlemen realize what war costs. You know what appropriations you have made; you know that you were spending at the conclusion of this war over $50,000,000 a day for the conduct of the war. I would like to see you give me at least what war costs for a week. Just throw out the Sunday and give to me what it costs for the other six days to try and take care of these men of our country, to make them more comfortable, more resourceful, and more contented.

We are going to have great problems in this country in the next few years, and the best kind of man whom we can have in the United States is the man who is anchored to our soil and has some satisfaction in his home. There is no way by which you can do this for less money than the way I have pointed out to you. Let us give to these men, on 40-acre farms or 50-acre farms, not merely the bare land, but a home upon the land, the cottage, the barn, the land fenced in, the land plowed, the first crop put in, the necessary farm implements, and have the place ready so he and his wife can move in immediately and go to work upon that place. Let it be a place where the man can live comfortably and make a decent living and be proud of it.

I would take all these boys personally and say to them, "If, after you have gone to your homes and do not find the old job all ready and open for you, then here is a job for you. We will pay you the current rate of wages while you are clearing this ground, while you are removing the stumps and undergrowth, while you are draining this swamp, digging that ditch or building that dam in the far West; we will give you good wages, we will take care of you in a barracks that will look palatial to you.

"Then, after you have worked for a year or two years upon that project, pick out your farm. You have joined in digging the ditch that makes the farm possible; you will have joined in building that which makes the farm habitable." We will set up a demand for agricultural implements and a great many other things that will stimulate the industries back home so that there will not be so many fellows back there that will need to be taken care of. Then this boy can move out on that farm and be prepared to make a living for himself and for his family; and he should not be called upon to pay for the farm immediately. We want him to be allowed 40 years in which to pay for it, but in the end he will pay every cent of it and pay interest on the money. The soldier does not ask any charity, and we are not going to get a strong, virile people by giving charity, by doing things for them, except giving them opportunities; and that is what we propose this Government shall give these men, an opportunity to make farms for themselves, to make a living for themselves, and then to pay back to the Government the money which the Government has advanced, and to pay that money back plus interest. They can do it easily, paying 4 per cent interest, in 40 years.

We are paying this year, gentlemen, and you may not realize this, $221,000,000 in pensions for the war that closed 54 years ago and the Spanish-American War. When I came into office six years ago the pensions ran up to $180,000,000. There were 300,000 Civil War veterans, practically, still alive, but by the deaths, which came along at the rate of about 30,000 a year, that sum was reduced to $170,000,000. Last year by the addition of different bills you appropriated $187,000,000. This year you have raised it so that we are paying now, or, practically, during the next fiscal year we will pay, under our estimates, $221,000,000 for pensions.

This scheme that I present is far better than any pension scheme that can be presented. It is a scheme by which you make American

men, and by which you make American land. It is a scheme by which you add to the territory, the available useful territory of the United States. You do not have to fight for it; you do not have to shed your blood for it. You do not have to put up $50,000,000 a day in order to get it. You do not have to rob anybody or do injustice to a neighbor in order to get it. You get it simply by the expenditure of your own money in advance and have that money brought back to you. Most of these lands are lands that are in private ownership, and those lands can be had at our own appraisement and not at what the owners think they are worth.

We have been through every State, and we find there is a practical project in almost every State. In every State there is a body of men who are solicitous for the soldier, who believe the war is not over until we have taken care of the boys on their return; these men own large tracts of land, and are willing to turn that land over to us, the United States to pay nothing for it whatever except that the owners of the land shall have returned to them whatever we appraise that land to be worth, the money to come in within the 40 years, when we get our money. It is a perfectly practical scheme. We looked over the map yesterday, and I suppose in some of the States there are as many as a dozen possible projects upon that basis.

In the State of Florida there are a million and half acres owned by the State, which they are perfectly willing to turn over to us on this basis, we to drain them. Up in Wisconsin and in Michigan there is some of this land held by the lumber companies which is worthless to-day, not being used, that we can get at our own figure, the lumber companies to get their money back when we get it ourselves, and not until then.

In the West the great bulk of this land is public land, and there we have the basis for large irrigation projects, as our plans include either a great irrigation scheme or a great drainage scheme in every State west of the Missouri River, in every State in the South, and in practically every other State except Iowa, Illinois, Indiana, Ohio, and Pennsylvania, and we may later be able to develop projects in these States.

We want to distribute these settlements as widely as possible so as to reveal the method by which farm life can be made agreeable as well as successful, and then this current that is running to-day against the country and in favor of the city will run the other way. In this decade that has passed, from 1900 to 1910, the movement to the city was unprecedented, and the relative increase in the number of farms was the smallest in the history of this country. We have got to stop that in some way. You can not afford, as statesmen, to let the people of the United States become dependent upon foreign countries for food supplies. You know we were importing beef from Argentina before this war.

You can not afford to have the people of the United States centered as they are now in the cities of the United States. When I was a boy we had in this country 75 per cent of our population on the farms or in farm villages. To-day we have not 50 per cent. More than one-half of our people are living in the cities—and living upon the people in the country—congested, working to develop American industry, but not working to develop those fundamental things upon which we have found in the last year nations depend.

I do not believe there is any doubt but that we will have the men to do this work, and there is no fear of overproducing. We can not possibly produce more than 20,000 or 25,000 new farms out of this amount of $100,000,000, which is the largest amount we have dared to ask for, knowing how anxious for economy you were. We can not possibly give employment to more than 100,000. There is no danger of taking away from the present farmer any advantage he has. Twenty thousand new farms is about one-third of 1 per cent of the number of farms there are now in the United States. So there is no threat against the present farmer in this proposition.

But we ought to have work for the man when he comes back, and if times become hard three months from now I want you to think about this proposition—that in Michigan and Wisconsin we can put at work just as many men as will be out of employment in the great Central West, and down in North and South Carolina and Florida and Louisiana we can put more men at work—hundreds of thousands of men, if need be, and care for them. All that will be necessary will be to have the money. We can not do it with $100,000,000. We can take care of a few, but there are rare possibilities there, and you gentlemen ought to think of it.

It is an opportunity for us, an opportunity to show gratitude toward the men who made the great sacrifice, who have done the thing you and I were willing to do but that we did not have the chance to do, because Uncle Sam would not take us. It is a great deal better that we should extend to that man this opportunity to make his own living, and make an independent living, and to add to the wealth of this country, than that he should be a dependent for years to come, or that he should be cast adrift, and prove once more that Republics are ungrateful. This Republic is not ungrateful. It never has been ungrateful. It is the most liberal and generous Government that the world has ever seen.

But we are not asking generosity now. We are asking something that is ultimately selfish.

I want you gentlemen, if you will be so good, if you will look upon this as I do, if you believe this is practicable, as the President and Col. Roosevelt believe it is, if you believe this thing is wise, that it is a statesmanlike thing, I want you to see that the members of the Committee on Appropriations, or whatever committee has charge of it, shall bring it to the front at once. We can not wait. We have waited too long.

I made this suggestion to the President and to Congress last May. We ought to have taken it up then. The time is ripe now. We need a word of encouragement from the Government of the United States to these men before there develops in them any feeling that the Government is not appreciative of what they have done. It has got to be done sometime, gentlemen; why not now? You have been thinking in large sums of money; you have passed in a day bills appropriating billions of dollars.

Can we not get to the point where we can visualize the opportunities and necessities of peace as well as the necessities of war? You are going to make this continent by the expenditure of large sums of money, and it is going to support three or four hundred million people; you will have 200,000,000 before this century is out. We are growing at the rate of about sixteen or seventeen millions every 10 years, or we were before the war. We have got to have a place for these people. We want to show you a plan by which they can be taken care of.

One-third of our tillable land outside of the mountains is already occupied and in use. We want to see that the other two-thirds is used and used by men who are Americans, who are tied to the soil, and who are identified with us in interest as well as in heart.

The portion of Secretary Lane's annual report pertaining to this subject contains so much carefully prepared data and is so comprehensive and instructive that I am going to take the liberty of also inserting it herewith, as follows:

THE RETURNING SOLDIER.

Soon, almost immediately now, the men whom we have drawn into war will return. Already those here are being prepared for their reabsorption into the normal currents of our life, and the 2,000,000 and more who have had the glory and the experience of making war upon foreign soil in protection of the liberties of the world will be brought back as soon as their work is done. With conditions as fluent as they are in Europe, I presume that no one can foretell when the last man will be once more in America, but whatever the day of their coming their welcome can not be too warm or our appreciation of their service too hearty.

And the question is pertinent: What shall that welcome be? Is it to be merely one of glad greetings the emotional outburst of a moment, or shall it take on a more permanent form, one which will be adequate in its largeness and lasting in its nature? I am quite sure that we can make of this event something that is real, something exceptional and of the most permanent value to the men and to the Nation.

No one can tell what such an experience will have done for these boys. They have not seen the picture of the war in the broad view that has been given us from day to day. The map which we have studied has not been theirs. To them the sector on which they fought, the valley up which they marched, the ruined villages which they saw, the narrow trench in which they lived, the desolate blasted foreground of No Man's Land—these composed their picture. Life has been a series of incidents, sobering, strengthening, horrifying, democratizing. Through these they will have grown, all of them. They will come back other than they went. They have lived through years in the months they have been gone. They may not have gained the larger view of the great war, being too near to see, but they will have gained a new view of America.

They will return home as victors; proud, no doubt, and becomingly modest, with a new sense of their individual power and new tests set up in their minds as to the qualities which make a man. We will hold them at arm's length and look into their eyes to see what change war has made upon them, the doing of daring things, the taking of ordered risks, the prompt recognition of authority, the steady, long companionship of their fellows, the sight and enduring of suffering, the hard life of dust and mud, and weary walking, and long, sleepless nights. We will look hard into the sunburned, hardened faces to see what the strange life of a few months has done to these boys, these youngsters of but a day ago. They will resent, maybe, as soldiers should, the soft sympathizings that will be poured out upon them, just as they will make light of all that they have done. But out of every mouth and from every heart will come the words, "Well, home sure looks good to me!"

"WHAT IS TO BE MY CHANCE?"

They will be looking at us, too. And in their look will be a query, one thought over in the trench at night and on the long, slow "slog, slog, slog" of the day's march: "What is my life to be when I get home? Am I to go hustling for a job or will the old place be mine? But if a girl has that place and wishes to be her own mistress in the future, what then? School? Oh, I can't go back to school. When I left I was only 21, but now I'm 31. And I have lived with men, fought with them, been sometimes bested by them, learned to know them in all their many littlenesses and their great goodnesses. Responsibility has been mine, and the still silences of the night have given me chance to think and wonder why I am and why it should make any difference whether I ever saw home again or not. I am back now, back for a man's life. This America that called me out has called me back, and it will have something for me to do. Now, what is to be my chance?" This will all be implied in the look that they give us as we hold them by both shoulders to find the mark of war upon their young faces. And what is to be our answer? What answer is due them, and what answer is worthy of us?

Being Americans and being young, they will not ask or expect pensions. They will want work. They will want, if possible, a chance for a home of their own. They would like to know that while perhaps the fortunes of war did not so turn as to bestow on them the medal for distinguished service, the Nation which they served thought well enough of what they had done to give them some evidence of its appreciation.

Now, these hopes, reasonable and manly as they are, can be met, and in a fashion that will not weaken the fiber of the man by making him an object of bounty, and that will add permanently to the strength and the wealth of the Nation.

Why not say to this inquiring soldier man: America offers you a farm if you will help in its making and pay for it out of what you make out of it.

This can be done, and, if it were, it would solve, or tend largely to solve, several problems:

(1) That of the immediate job for the man himself.

(2) That of protecting the labor market against any possible collapse by being swamped with a surplus of labor.

(3) That of providing for many lines of reestablished industry an immediate demand for their products.

(4) That of staying the movement toward the cities and thus more completely decentralizing our population.

(5) That of affixing to our soil a large number of the best-proved Americans.

(6) That of setting up throughout the land the most modern pattern of farm settlement in which the social side of human nature is given consideration.

(7) That of bringing into use those great areas of our land which now lie neglected and of no value to the world.

All of these objects, I apprehend, will be deemed worthy, desirable, and of great concern to the Nation. The questions that arise in the mind will not involve the value of doing these things, but the practicability of such a program.

CONGRESS MAKES THE FIRST MOVE.

To meet this objection, I would recall to your attention the fact that all that I have urged is an extension on a large scale, and somewhat more elaborately, of just what this department has been doing for the past 16 years, through the activities of the Reclamation Service. And Congress has already taken the first step in the direction pointed out by appropriating $200,000 for an examination into the reclaimable land resources of the country, one half that sum to be expended for a survey of possible irrigation projects and the other half for an examination of those lands

which need to be drained, and of those huge tracts of lands which once were forests but now are neither forest, pasture, nor farms—the logged-off lands of North, East, West, and South. As soon as this appropriation was made the country was divided into three zones, and engineers were set at work gathering the data which Congress desired.

We are prepared to make report to Congress forthwith, giving a general picture of the extent and nature of these lands and advising as to the practicability of their reclamation. In the large, it may be said that of these three classes of land we have a full 200,000,000 acres which may be converted into farms either by irrigation, drainage, or clearing.

Although no complete survey has ever been made of our land resources, it is estimated that there are from 15,000,000 to 20,000,000 additional acres of at present arid land in the West for which water is available if properly conserved. There are, for example, half a million of acres in the Colorado River Basin which need only irrigation to make them as fertile as the far-famed valley of the Nile.

By far the greater portion of our unused and unproductive lands, however, is comprised in the cut-over or logged-off timberland lying largely within the eastern half of the United States. The approximate area of these cut-over lands by States is shown in the following table, which has been compiled from various sources of information, such as township, county, and State officials, lumber and logging companies, and individuals well informed on this subject in their particular localities:

State.	Acres.
Alabama	14,785,000
Arkansas	13,893,000
California	2,031,000
Florida	10,109,000
Georgia	20,141,000
Idaho	676,000
Kentucky	3,222,000
Louisiana	11,877,600
Maine	6,135,000
Maryland	1,848,000
Michigan	11,686,000
Minnesota	14,022,000
Mississippi	13,203,000
Missouri	3,900,000
Montana	674,000
New Hampshire	2,608,000
New Jersey	1,151,000
New York	5,997,000
North Carolina	12,745,000
Oregon	3,537,000
Pennsylvania	5,297,000
South Carolina	8,994,000
Tennessee	7,833,000
Texas	12,936,000
Vermont	2,070,000
Virginia	9,929,000
Washington	3,330,000
West Virginia	4,634,000
Wisconsin	15,246,000
Total	228,509,000

In their present state these 228,509,000 acres of cut-over land are a picture of desolation calculated to discourage the hardiest pioneer. Only a vast area of stumps remains to mark the former forest, matted with underbrush, and interspersed here and there with saplings. Perhaps as good an idea as any of the appearance of this waste land may be obtained from photographs of former forests which have been shattered by artillery fire. Yet when this land is cleared, leveled, and brought under the plow its soil, rich with the accumulated humus of hundreds of years, possesses extraordinary agricultural possibilities.

Lying also largely in the eastern half of the United States and overlapping the cut-over lands to some extent are some 80,000,000 acres of swamp lands. The approximate extent of these lands, by States, is shown in the table.

Where private enterprise has reclaimed small areas of swamp land the wonderful productivity of the soil has been amply demonstrated.

Under present conditions the problem of reclaiming these vast areas of irrigable, cut-over, and swamp lands could never be sold in its entirety by private enterprise. The huge items of labor and capital involved dwarf into insignificance any work of a similar character ever before undertaken. The great public works of the Reclamation Service and of the Panama Canal, for example, stimulating as they are to our national pride in achievement, fall far short of the possibilities involved in the plan of reclaiming an area one-fifth again as large as the State of Texas.

State.	Permanent swamp.	Wet grazing land.	Periodically overflowed.	Periodically swamp.	Total.
	Acres.	Acres.	Acres.	Acres.	Acres.
Alabama	900,000	59,200	520,000	.....	1,479,200
Arkansas	5,200,000	50,000	531,000	131,300	5,912,300
California	1,000,000	1,000,000	1,420,000	.....	3,420,000
Connecticut	.....	10,000	20,000	.....	30,000
Delaware	50,000	50,000	27,000	200	127,200
Florida	18,000,000	.....	1,000,000	800,000	19,800,000
Georgia	1,000,000	.....	1,000,000	700,000	2,700,000
Illinois	25,000	500,000	400,000	.....	925,000
Indiana	15,000	100,000	500,000	10,000	625,000
Iowa	300,000	200,000	350,000	80,500	930,500
Kansas	.....	59,380	300,000	.....	359,380
Kentucky	.....	100,000	300,000	44,600	444,600
Louisiana	9,000,000	1,196,605	.....	.....	10,196,605
Maryland	100,000	.....	92,000	.....	192,000
Maine	156,520	.....	.....	.....	156,520
Massachusetts	20,000	.....	39,500	.....	59,500
Michigan	2,000,000	947,439	.....	.....	2,947,439
Minnesota	3,048,000	2,000,000	.....	784,308	5,832,308
Mississippi	3,000,000	.....	2,760,200	.....	5,760,200
Missouri	1,000,000	.....	1,439,700	.....	2,439,700
Nebraska	.....	100,000	412,100	.....	512,100

State.	Permanent swamp.	Wet grazing land.	Periodically overflowed.	Periodically swamp.	Total.
	Acres.	Acres.	Acres.	Acres.	Acres.
New Hampshire	5,000	.....	7,700	.....	12,700
New Jersey	326,400	.....	.....	.....	326,400
New York	100,000	100,000	329,100	.....	529,100
North Carolina	1,000,000	500,000	500,000	748,160	2,748,160
North Dakota	50,000	50,000	50,000	50,000	200,000
Ohio	.....	.....	100,000	55,047	155,047
Oklahoma	.....	.....	31,500	.....	31,500
Oregon	254,000	.....	.....	.....	254,000
Pennsylvania	.....	.....	50,000	.....	50,000
Rhode Island	.....	.....	6,000	2,064	8,064
South Carolina	1,500,000	.....	622,120	1,000,000	3,122,120
South Dakota	100,000	.....	511,480	.....	611,480
Tennessee	639,600	.....	.....	.....	639,600
Texas	1,240,000	1,000,000	.....	.....	2,240,000
Vermont	15,000	.....	8,000	.....	23,000
Virginia	600,000	.....	200,000	.....	800,000
Washington	20,500	.....	.....	.....	20,500
West Virginia	.....	.....	23,900	.....	23,900
Wisconsin	2,000,000	.....	.....	360,000	2,360,000
Total	52,665,020	6,826,019	14,747,805	4,766,179	79,005,023

These lands in greater part have passed out of the hands of the Government and are in private hands, though there are several of the largest bodies of lands needing drainage which are in the hands of the States. On the Government lands alone it would appear now to be unquestionably the fact that we could give employment to every man who would need work, and that almost immediately.

STATE COOPERATION.

But as this proposition has evolved I have found myself coming to the belief that it was not necessary to confine it to those States containing Government lands; that, on the contrary, it might fit in best with the sentiment of the country and to its greatest advantage if the plan were made adaptable to all the States, so that each State out of its unused lands might carve out farm settlements whereon, if they so chose, the soldiers returning to their home States could be located. By cooperation between the States and the Federal Government this can easily be effected. I have been surprised to discover how much land in the older States, such as Massachusetts and New York, for instance, there is that is unused, which once was tilled and which now, with modern methods of farm development and with the advantage of its nearness to the great markets, can be again profitably put to use. The commissioner of agriculture for Massachusetts has advised of land which, put under intensive cultivation, yielded last year more than $1,000 per acre net. And there are many thousands of acres of such land. In New York land by the tens of thousands of acres has been deserted and is advertised by the State, which will produce apples and other fruits of fine quality, besides all the staple cereals and vegetables, but which does not attract as against the distant and alluring lands of the West, because it requires some systematic treatment.

Within 50 miles of the city of Washington, both in the States of Maryland and Virginia, there are large bodies of lands which once were parts of great plantations that can be had for less than any lands within the same distance of most of the larger cities of the West. The mind of the country has been turned toward the development of the raw lands, the free unbroken lands, to the neglect of opportunities nearer the center of the country's markets. In almost every southern State instances can be cited where white men under the wise direction of the Department of Agriculture support their families and make an excellent living upon small farms of from 10 to 30 acres. Yet between this city and New Orleans there are over 40,000,000 acres of unused lands.

THE NEW FARM IDEA.

No one, I believe, can make a study of this question without being convinced, as I have been, that this country can support a population of from three to four times that which we now have, if the people will give over their desire to congregate in industrial centers. The passion for the city is upon us. It has come from a variety of causes—the lack of society in the country, the distance between farm homes, the remoteness from the post office and the newspaper, the assumed superior status of the "city man," the desire for better school facilities for the children, and many more which have been the theme of books without number seeking to reestablish in the heart the longing for contact with the soil. But preachments of any kind will not offset stern repellant facts. There is but one way of dealing with this problem, and that is to answer the questions that are put by developing new conditions. We must turn, as Europe has in her centuries of experience, to the farm village, the settlement of farmers around a center which is their home, in which can be gathered most of the advantages of the city—the good school, the church, the moving picture, the well-outfitted store—and these, with good roads, the rural express, the telephone, the automobile, and the post office will make life on the farm a thing of far different meaning from the isolated life it has been.

Of land, therefore, there is an abundance; land owned by the Government in the West and the South, land owned by private individuals in all the States, which is a burden to its owners and which can be had in great blocks at a very small price. It will not be for Congress to seek for advantageous places in which to locate these men; the difficulty will rather be in the choosing as between so many opportunities.

A POSSIBLE PROGRAM.

My own judgment would be that as an immediate program we should first offer an opportunity upon our present irrigation projects for all who wish work at clearing and leveling the land not now cultivated but for which water is available, or to which water can be brought under the present irrigation system, and that such tracts shall be developed under an appropriate land-settlement plan. This we can do at once and meet whatever labor problem may be immediate. As a second step, I would urge an appropriation for one or more of the largest irrigation schemes for which surveys are in an advanced state. Concurrently it would seem to me wise to undertake the draining of the most promising projects—Government-owned land preferred, but, if privately owned,

the land to be bought at an appraisement made by the Farm Loan Board and subject to the approval of the Department of Agriculture as to fertility of soil and desirability of location.

There is an alternative method of dealing with private lands which already has the approval of Congress, being incorporated in the reclamation act. Under this a private owner agrees to sell his land to whoever gets the water right at an appraised price as a condition precedent to our undertaking the construction or irrigation work. Under such a plan there would be no difficulty whatever in securing control of any sized bodies of cut-over or swamp lands that might be desired; the Government would not buy the land, but the owner would look to the new settler for the price, and take it on such terms as the Government itself would exact for its own expenditure upon the land. Supplementing this there should be an opportunity given for the cooperation of all the States upon limited tracts which would be dealt with under State control and subject to the closest Federal supervision. This would be an adoption in the development of farms for soldiers of the method taken by Congress for the construction of national highways.

WORKING FOR A HOME.

With such a national program underway there need be no solicitude as to caring for the returned soldier. Before he left France he could be preparing for his work. More than one-third, probably nearer one-half, it is estimated, of the men who are in Europe have come from farms. They are not farm owners, many of them were farm hands, some of them tenant farmers. Those who thought of taking up this life as independent farmers under the most modern and approved system could be given an agricultural education while still in the foreign camps. Canada, indeed, is already at this work. Then, after their return and when they have received the greetings of home, if the old position is not open or they wish to turn to an independent life, they can have their chance. For each there can be a position at the current rate of wages. The energy and the talent which he has been expending for an ideal and $30 a month he can now use to make a home for himself. There would be laid before him a number of projects which the Government had undertaken in the different sections of the country.

Let us assume no more than three, one an irrigation scheme, another a drainage project, a third the development of a body of cut-over lands. The one would need to have great dams constructed to impound and divert waters, a hydroelectric plant, miles of canal and tunnel, perhaps thousands of acres to be cleared and leveled, fenced, and broken. This would mean years of work at good wages, work in the open under housing conditions that would seem palatial to the soldier of the trench, and at the end a piece of land on which would be erected a house and barn, a farm home in a group of farm homes. For this he must pay. But already he has received wages out of which he can have saved the necessary first installment on his place of 10 or 15 per cent. The balance with interest he can pay in 40 yearly installments, or earlier if he can. He should not be limited to a choice of farms upon the one project on which he works. If the life in Arizona, let us say, is not to his liking he can have the same opportunity after building the Arizona irrigated project to take up a farm upon another Government enterprise in South Carolina where men have drained the old rice swamps or in Wisconsin on a tract of what once was swamp but has been converted into rolling prairie farms.

Four things are the essence of this program—that there shall be work ready for the men on their return, that this work shall be for the making of America, that the money expended shall be returned with interest to the Government which advances it, and that the land shall be platted so as to be a part of an organized community. A farm as a going concern to be a part of a community that is a going concern—this is the ideal toward which we should work; and such settlements, a few of which already exist in Wisconsin, North Carolina, California, and elsewhere, should be the models for the future land developments of the country.

NO SLACKER LANDS.

There is one other feature which should be incorporated in any such scheme of land development—the acreage should be limited to that which will be sufficient to reasonably support a family. Revolutions come from great land holdings, and it should be the first policy of the Nation and the States to discourage in every way possible the gathering into one hand or a few hands large bodies of land. This is politically wise, socially and economically advisable. The spirit of a democracy does not thrive where men live without the hope of land ownership. There is something peculiarly subtle in the feeling that a bit of the soil is one's own. It makes for a stronger, higher citizenship. It gives birth to loyalties that are essential to national life and to a healthy home life.

To be able to say that a living is assured, no matter what one's opinion may be, is at the very center of the free life of a democracy. So these farms should not only be so small that they would not be speculative ventures in unearned increment, but they should be nontransferable to anyone holding any equally large tract of land in the same State. This will prevent their being aggregated in the course of years into great estates. To compel their use, the owner might well be required to live on the land for five years before gaining sufficient title to make any transfer, and during the full period prior to the last payment three years of idleness should make the land subject to forfeiture to the Government upon repayment of the payments which have been made. This is not suggested as an infallible nor an ultimate plan, but it would save to the Government the opportunity to hold in its own hands the fate of these lands and see that they were made to serve. We wish no slacker lands. Enough land for a family, but not enough to make a new draft on the labor supply.

I have attempted here to give a broad sketch of a plan that has found favor generally as one that meets the needs of the moment and reaches far into the problems of our Nation. It is not a fixed program, the whole of which must be taken or rejected. It has the virtue of elasticity. So much of it as is needed can be used to meet the possibilities of the next few months or years. Once entered upon, its benefits and its defects will be made manifest.

THE COST.

How great will be the cost? As much as we wish to spend; as much as we need to spend. Less than many a strike has cost this country. Would it be unreasonable to ask for as much as we will spend this year for pensions to the veterans and their dependents of wars that ended 20 and 50 years ago? Would it be unreasonable to ask that we spend in the next two years on these veterans of the great war as much as it cost us to conduct that war for a single week? Would a people that gave out of hand, out of a noble sense of charity to quasi public organizations, $500,000,000 for the entertainment and care of these boys hesitate to buy the bonds of this country for a like amount to provide peace work, home work, and homes for these same boys, who will ask the question, What is to be my chance? A loan. Not a gift this time. A loan on interest. Those who deal in money tell me that this can be done. But be the amount great or small the plan can be made to fit our needs—raise it as you please, by taxes or by a bond issue (a mortgage on the very land that it reclaims)—is there a better way to insure the future than to direct these strong-armed, big-chested soldier men into a battle against the wanton wastefulness of nature?

We have spent largely for this war and largely we must spend for many years to come. We are to economize that we may meet our debts; this must be the national policy. But to stop growth is not economy. To stand paralyzed in the presence of a debt is to become its victim. England is planning in the hundreds of millions of pounds sterling for housing and land schemes. Canada, with less than 7,000,000 people, is offering to each man 160 acres of land and $2,500 with which to improve it. Surely the United States, which has escaped with so slight a comparative loss in life, will not do less. There is one way to pay out, and that is by harder work and more faith. These are the reasons for our self-confidence. We shall coin work and faith into new wealth and make the new wealth meet the debts. This has been our policy from the first in all great enterprises. To waste is not sound economy; to save is; but sounder still is the economy that invests to create; this is the sowing of seed. And this land is yet but in its infancy. It has 2,000 years to run before it reaches the age of that country which still holds Verdun and is planning now the reconstruction of 350,000 homes destroyed by the invader.

There can be no surer insurance for the Nation than to put its men upon the soil, and there can be no wiser investment that a nation can make than to add to its territory by taking from desert and waters and desolation land that is now useless. Nations make war upon each other that they may have new lands—lands in tropical Africa, in remote Asia. They spend life and go deeply into debt that they may gain small domains already filled with an unprogressive people. And here, under our own flag, we have land as rich as the Valley of the Nile, not ours yet, for it does not serve us, which we can conquer with a little thought and the lending of a little money. This is conquest worthy of a democracy, giving free men their chance to make themselves economically free without the shedding of blood or the breaking of hearts.

In conclusion I can only say to the House and to the country, and to the many thousands of our splendid boys who will be sorely disappointed by this failure of the House to pass this bill or act upon this subject, that I will reintroduce the bill on the opening day of the next session of Congress and push the measure with all the energy I possess, and I sincerely hope and believe that it will be speedily enacted into law. And I also hope that instead of the appropriation being for $100,000,000 that it may be five times that amount; because even then we will not, in proportion to our wealth and resources, be doing anywhere as much for our returning soldiers as is being done by Canada, Australia, and all other English speaking countries. I am not only confident that this measure will be adopted, but I firmly believe it will go down in history as one of the great constructive policies of our country.

EXTENSION OF REMARKS

OF

HON. GEORGE R. LUNN,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1919.

Mr. LUNN. Mr. Speaker, under leave to print, I am submitting the following correspondence, which has to do with the important subject of military justice:

WAR DEPARTMENT,
Washington, March 1, 1919.

Hon. GEORGE R. LUNN,
House of Representatives.

MY DEAR MR. LUNN: I think I can answer your question about the course of military justice during the war more adequately by sending you the inclosed copy of a letter written by Gen. Crowder to me than in any other way. Immediately after the original discussion of the subject in the Senate, I asked Gen. Crowder to give me a comprehensive memorandum covering the whole matter. This letter resulted. Its statements are, I think, most reassuring.

In the meantime, I may say that during the war we investigated and acted upon the cases involving the death penalty and dishonorable discharge from the service. The great number of cases involving long terms of imprisonment could not be circumstantially reviewed under the pressure then existing. The fact of the legality and sufficiency of the trials was inquired into and the cases otherwise put aside for more mature consideration. A board of officers organized in the office of the Judge Advocate General, known as the clemency board, has been at work for some weeks reviewing these postponed matters, and I have already in a good many cases acted upon the suggestion of that board by reducing some of the longer sentences to such terms of imprisonment as would have been imposed for like offenses under the peace-time procedure in force in the department.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

FEBRUARY 13, 1919.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR CHAMBERLAIN: On the appearance of your remarks in the CONGRESSIONAL RECORD on January 3, 1919, with reference to the administration of military justice during the war, I at once directed that the Judge Advocate General's office prepare such data as are avail-

able for your information and that of the Senate dealing with the subject. It is not unnatural that so grave a matter as this should attract widespread public attention and that the humane sentiments of Senators and of the public should be stirred by such representations as were made to you and formed the basis of your remarks.

In the meantime, as I have happened to be a lawyer and to have had considerable experience as an executive in dealing with the administration of criminal law and of prison discipline, my own attention was not unnaturally attracted to the administration of military justice upon my assumption of the office of Secretary of War. Until the entry of the United States into the European war I found it possible personally to examine the records in most of the cases involving serious penalties. This became impracticable with the increasing demands upon my time, and I therefore came to rely for my action in these matters more and more upon the elaborate reviewing machinery erected in the office of the Judge Advocate General to deal with these cases, although when any doubt was brought to my attention, either by division of opinion or from outside suggestion, I either personally examined the records or caused them to be independently examined by lawyers whose relation to the subject was purely judicial. It seemed, therefore, quite incredible that any general and widespread perversion of the principles of justice could have crept into a system with the workings of which I was thus familiar and the organization of which seemed to me so well calculated to secure thorough consideration and the application of most humane policies.

The Judge Advocate General has just handed me a letter covering such preliminary examination as he has been able to make of the situation, which is to be followed by a report much more comprehensive in character; but the inquiry so far made has developed a situation which I think ought to be brought to your attention at once and which I have no doubt you will be glad to bring to the attention of the country in order that the interest which has been aroused in this subject will have before it all the facts which ought to be considered before any judgment is formed or any apprehension created on the part of parents or friends of those in the Military Establishment that soldiers are subject to a harsh and unequal discipline.

In addition to the data presented in Gen. Crowder's letter, I beg leave to express my willingness to produce all other data and information within the control of the department which would be useful or interesting to the members of the committee.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

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FEBRUARY 13, 1919.

DEAR MR. SECRETARY: Upon resuming active supervision of the work of the Judge Advocate General's office early in January of this year, after a year of almost exclusive preoccupation with my duties as Provost Marshal General, I found your reference calling to my attention the remarks of Senator CHAMBERLAIN, printed in the CONGRESSIONAL RECORD of January 3, 1919, which voiced certain criticisms upon the administration of military justice during the war. I have been reflecting upon the most appropriate manner of putting you in possession of the facts on the subject dealt with in these remarks.

The subject, in general—I mean that of military justice during the war—is, of course, within my special province as Judge Advocate General of the Army; and it has been peculiarly a matter of the most conscientious solicitude on the part of myself and of the Acting Judge Advocate General, who had the direct supervision of the office during my special preoccupation with the other duties. Of the nearly 100 judge advocates attached to the office in Washington during the past year, some 50 have been assigned exclusively to the Division of Military Justice, scrutinizing the record of every one of the thousands of general court-martial cases arriving in Washington for revision. These skilled lawyers (all but two of them brought recently into the Army from civil practice, and including some eminent incumbents from the judicial bench) have been keenly alive to the demands of the situation. Months before any of these after-the-war criticisms appeared, and from the very outset of the year 1918, when the disciplinary records of the new Army were already enlarging manyfold the work of this office, the Division of Military Justice had begun to apply measures adapted to safeguard the cause of justice to the individual. And, as the year went on, the progress of court-martial practice was closely and continuously followed, with a view to correcting the legal errors, equalizing the sentences in the various divisions, and exercising the appropriate clemency. How notable were the results achieved by this conscientious scrutiny before the close of the year 1918 I will later point out, noting here merely that these results were already accessible to any inquirer at this office before the close of the year 1918.

It goes without saying, therefore, that all the authentic data that would throw light on the correctness of Senator CHAMBERLAIN'S complaints are to be found in the accumulated records of my office. And I could wish that he had afforded me an opportunity, however scanty, to lay before him the general tenor of these records, or any part of them, before advancing publicly the assertions contained in his remarks on military justice.

However, since receiving your reference, my own question has been whether to wait until a full and exhaustive account could be prepared for you, showing the whole range of facts in that field during the war period, or whether, without waiting for that, it would be worth while to offer you, as a provisional step, the facts upon the topics concretely touched on in the Senator's remarks. I have decided to take the latter course, reserving for a later and formal report the entire body of facts concerning military justice during the war period.

The Senator's remarks run along two lines. In the first place, he cites certain individual cases having special features open to criticism. In the second place, he offers certain generalizations involving general conditions and practices. This makes it necessary to deal with his remarks under two separate heads; and, with your permission, I will do so. Whether or not these individual cases are open to the criticism as made is simply a question of the facts in each of these cases; they differ widely in their nature, and each must receive its own separate explanation, based solely on its own facts and no other. But whether the Senator's assertions as to general conditions and practices are correct is a larger and distinct question, ranging over the entire field of military justice, and these assertions must therefore be examined in the light of the entire mass of relevant cases.

I begin, therefore, by taking up the individual cases cited by the Senator for special features; and at the same time it will be convenient to include comments on a few other individual cases cited on the floor of Congress by Mr. SIEGEL from a newspaper article. (CONGRESSIONAL RECORD, Jan. 23, 1919, p. 1928.)

I. *Individual cases cited for criticism.*

1. The first case cited by Senator CHAMBERLAIN is that of a soldier at Camp Gordon (record No. 110595, tried January 24, 1918), who, while patrolling the town as military police was found at midnight in a shop just after a burglary. Being charged with burglary, he asserted that he had entered the shop in search of the burglar. His story was disbelieved, and he was found guilty; the first finding was not guilty, but at the commanding officer's request there was a reconsideration, and the second finding was guilty. On revision of the record no legal error could be found, but this office reached the opinion that though there was sufficient evidence to sustain the finding, the evidence did not go so far as to show his guilt beyond a reasonable doubt. In such a situation no supreme court in the United States (with three or four exceptions only) would interfere and set aside a jury's verdict. Nevertheless, this office recommended a reconsideration of the verdict by the reviewing authority. It was, in fact, reconsidered; but the court adhered to its finding. But the feature for emphatic notice is that reconsideration was given not by exercising the "arbitrary discretion of a military commander," but by referring the case to the judge advocate of the command as legal adviser. The judge advocate wrote an elaborate review of the evidence, disagreeing with the view of this office, and recommending confirmation; and the commanding general followed this opinion of his law officer.

This case, therefore, instead of being, as Senator CHAMBERLAIN has been led to believe, an illustration of "the control which the military commander exercises over the administration of civil justice," illustrates exactly the opposite. For, in the first place, the confirmation of the sentence was made, not by the arbitrary military discretion of the commanding officer, but upon the legal opinion of his judge advocate, an ex-civilian lawyer. And, in the second place, the reconsideration which was actually given by the judge advocate on the point of proof beyond a reasonable doubt was a measure of protection which the law does not provide in any civil court in the United States for the control of a jury's verdict. The case is a good illustration of a feature in which the system of military justice sometimes does even more for the accused than the system of civil justice.

2. The second case cited by Senator CHAMBERLAIN is that of an absence without leave from Camp Beauregard (record No. 116490, tried June 6, 1918), in which a sentence of 25 years was imposed on a soldier who had gone home (as he claimed) to see a sick mother after the company had been notified of their impending departure for the battle field in France; he returned to camp just after his unit had left. This offense of leaving for home when the regiment is just on the point of departure overseas is obviously one of the most disorganizing to military plans. In this case it was committed at a time when the allied forces were in daily need of American help, and our units were being rushed with all speed to the ports of embarkation. By leaving camp in this particular week the soldier successfully evaded going into the fight with his comrades. That the seriousness of the offense must be emphasized in the sight of the Army by the penalty imposed needs no argument.

But the Senator errs in implying that the man was dishonorably discharged, for he was not. The sentence of dishonorable discharge was suspended, which means, under the law, that his confinement has practically no minimum, and that if his conduct is good he may be released from confinement and restored to duty at any time.

3. The third case cited by Senator CHAMBERLAIN is a similar case of absence without leave at the same camp (record No. 116800) under almost identical circumstances; but in this case a sentence of 15 years, instead of 25 years, was imposed. This matter of the variability of sentences is later explained by me, in its general aspects. But the difference of periods, however, has in this case not the significance which it appears to have, because the sentence of dishonorable discharge was in this case also suspended, and the offender went to the disciplinary barracks for a period of confinement having no minimum, and upon a record of good conduct he may be restored to duty at any time, and his confinement be terminated.

4. The next case cited by Senator CHAMBERLAIN is a case of sleeping on post at Camp Merritt, the sentence being for 10 years. The Senator's brief description of the case applies to two offenders, tried nearly at the same time. (Record No. 114717, tried Apr. 25, 1918, and record No. 115506, tried May 17, 1918.)

In the one case the sentence was reduced by the commanding officer to six months, probably because the soldier was a youth of 17. This reduction was apparently not known to Senator CHAMBERLAIN, for he does not mention it. There is certainly nothing harsh in military justice in this case.

In the other case the sentence was approved by the commanding general; and on November 22, 1918, the Judge Advocate General's office, on application, after a careful scrutiny of the record, declined to recommend clemency; so that it may be assumed that the circumstances of the case did not merit it. But here, too, the sentence of dishonorable discharge was suspended by the commanding general; the period of confinement has no minimum; and the offender may be restored at any time, after a record of good conduct.

5. The next case cited by Senator CHAMBERLAIN is another instance of sleeping on post, the sentence being for 10 years (record No. 113076, tried on Mar. 21, 1918, at Camp Merritt). As the sentinel had been drinking whisky shortly before going on guard, had actually left his post, and was found asleep in a toilet, the case was plainly one for making an example, and the sentence is therefore hardly to be termed severe. The Judge Advocate General's office, however, after at first declining, on application, to recommend clemency, later considered the case a second time, on December 12, 1918, and notified The Adjutant General that there was no objection to his restoration to duty.

But at this point I must take notice of Senator CHAMBERLAIN'S expression, applied in his remarks to the duty assigned to this soldier, of guarding a sentinel post, as "virtually a watchman's job." I feel sure that even the civilian mind will readily appreciate the high responsibility of a sentinel's post in time of war, and that this expression will be recognized as inappropriate. The war was not only in France; it was in our own country also; and at the post where this sentinel was on guard there were millions of dollars worth of supplies, waiting for early shipment to equip the forces on the battle front, and lying open to destruction by the incendiary agents of the enemy who lurked at every such spot in our own country. That under such circumstances the offense of sleeping on post belongs among the most serious and dangerous misdeeds of a soldier needs no further argument.

6. The next case cited by Senator CHAMBERLAIN is one of disobedience to orders to drill, and of having seditious literature in possession for distribution. The offender was a conscientious objector who had not

been given an opportunity for noncombatant service, and who was not attempting nor intending to distribute the literature. The sentence was death; but the Senator adds that it was "disapproved by the President and the prisoner discharged," and he expresses the hope that "the President will exercise the same clemency and show the same mercy in many other cases." Now, the facts of the record demonstrate the precise opposition of what the Senator was led to believe, because in this case (record No. 116790, tried June 17, 1918), it was not the President's clemency that discharged the prisoner; it was the effective operation of that very system of military law which the Senator supposes not to exist. What happened was that the Judge Advocate General's office recommended disapproval of the sentence, on the strictly legal grounds that the order to drill was (under General Orders No. 28, 1918) not a lawful command, and his disobedience was therefore not an offense; and that there was no evidence of the accused's intention to distribute the literature. The sentence was therefore disapproved, and the prisoner discharged on the legal grounds stated by my office. This case, therefore, far from illustrating the Senator's thesis, rather affords an illustration of the operation of military law and justice in entire analogy to that of civil law and justice.

This completes the list of particular cases cited by Senator CHAMBERLAIN. I turn now to the particular cases cited in the newspaper article read into the CONGRESSIONAL RECORD by Mr. SIEGEL. (CONGRESSIONAL RECORD, Jan. 23, 1919, pp. 1928 to 1932.)

7. Taking these cases, for convenience sake, in the reverse order of their mention in the article, we are told of three cases of supposedly excessive sentences for the offense of desertion or absence without leave, all three of them being of the type of a return to visit the home family in distress. I should be glad to make any explanations or admissions which these cases might merit, but they are so indefinitely described in their citation that it has been impossible to identify them, even after a careful search of many records.

As they are criticised, however, on no other ground than that of the severity of the sentences, I think that what has been already here said on the other cases of that sort will serve as a sufficient comment.

8. The next instance cited by the writer in question concerns two death sentences imposed in France for sleeping on post in a front-line trench. There are really three distinct questions involved in these cases: First, whether a sentence of death in all cases of this offense should be the inexorable policy; secondly, whether, if not, these particular cases showed sufficient extenuating circumstances; and, thirdly, whether the cases were fairly and fully tried to get at the facts.

Upon the first question, it is enough here to say that Gen. Pershing especially urged the importance of adopting this policy for the protection of his Army's welfare; and his chief law officer concurred in this message; and that under such circumstances no one could have been criticized for acceding to this urgent request and adhering to the principle handed down by all the fixed traditions of military law. I myself, as you know, was at first disposed to defer to the urgent recommendation of Gen. Pershing; but continued reflection caused me to withdraw from that extreme view; and some days before the case was presented for your final action the record contained a recommendation from me pointing in the direction of clemency.

Upon the second question it can be stated that, except for the youth of the offenders (they were about 20 years of age), there were no special extenuating circumstances. The task laid upon these soldiers was no greater in its exactions that was laid upon hundreds of others at the very same moment in the allied forces doing duty in the trenches. The chief of staff's memorandum states the situation with great force:

"The American Expeditionary Force is confronted by the most alert and dangerous foe known in the history of the world. The safety not only of the sentinel's company, but of the entire command, is absolutely dependent on the vigilant performance of his duties as a sentinel. The safety of that command depends in an equal measure upon the prompt and complete obedience of the different men to the lawful commands of their superior officers. There is no doubt but that the members of this court had had the necessity for the alert performance of the duties of a sentinel strongly impressed upon them at the immediate time of the commission of those offenses. Before daylight on the morning of November 3, 1917, the first attack by the Germans upon the American lines took place. A salient near Artois, which was occupied by Company F of the Sixteenth Infantry, was raided by the Germans, who killed 3 of our men, wounded 11, and captured and carried off 11 more. The very next night—that is, the night of November 3–4, 1917—Pvt. Sebastian was found sleeping on his post, and on the night of the 5th Pvt. Cook was found sleeping on his post. Both of these men belonged to the regiment which had suffered in the German raid of 2d–3d. This condition of affairs presented an absolute menace not only to that portion of the line held by the American troops, but to the French troops in the adjacent sectors."

That the decision to exercise clemency was a sound one I do not doubt. But no candid reader of the record could look upon these cases as anything but a distressing instance of the inevitable mental conflict that arises between the stern necessities of war discipline and the natural human sympathy for men who have incurred the death penalty, a conflict which equally agitates every civil judge and every civil executive when such a case is presented for his action. It is unconscionable that this situation should be cited as a peculiarity of the military system.

The third question—whether the case was fairly and fully tried so as to present all the facts—would require too extended a survey for giving all the details here. I content myself with assuring you (what you, indeed, know already) that the record was scrutinized by several of the most experienced judge advocates of my staff as well as by myself personally, and that, although the cases were not tried as thoroughly as they could and should have been tried, where the death penalty was involved, nevertheless no reversible error was found and there was no doubt of the facts in either case. The only issue in this case was the severity of the sentence as above mentioned.

9. The writer also cites, in the same connection, two other cases coming at the same time from France; in these the death sentence was imposed for refusal to drill. The circumstances indicated an obstinacy amounting to aggravation. But it was decided by you that clemency should be exercised to the extent of commuting the sentences to three years' penal servitude. And as the writer of the article in question makes no tangible criticisms, but merely couples these cases with the foregoing two, I pass them over.

It should be noted, however, as a sample of the writer's unfair presentation, that he is incorrect, in point of fact, in asserting that "upon their plea (of guilty) alone these two men were sentenced to death." Both men were tried upon testimony adduced by the prosecution after their plea of guilty was entered; both men declined to call any witnesses in denial or in extenuation. The scantiness of the record, however, was of itself sufficient ground for exercising clemency.

10. The remaining case cited in the newspaper article read into the RECORD by Mr. SIEGEL is that known as the "Texas mutineers'" case (record No. 106663, tried at Fort Bliss, Tex., Sept., 1917). The criticism made upon this case is that certain sergeants, having been ordered under arrest by a young officer for a very minor offense, were afterwards, while still under arrest, directed to drill; but as the Army Regulations, properly construed, do not authorize noncommissioned officers to be required to attend drill formations while under arrest, the sergeants declined to drill as ordered. For this disobedience they were found guilty of mutiny and sentenced to dishonorable discharge and imprisonment for terms of between 10 and 25 years.

Now, it may be at once and unreservedly admitted that this was a genuine case of injustice, and that the injustice was due to an overstrict attitude of military officers toward discipline, for it is conceded by all that the young officer who gave the order to drill was both tactless and unjustified in his conduct, and it is conceded that the commanding officer who reviewed and approved the sentence was a Regular Army officer of long experience who failed to appreciate the justice of the situation. That this case illustrates the occasional possibility of the military spirit of discipline overshadowing the sense of law and justice is plain enough. But that it indicates any general condition can not for a moment be asserted.

Moreover, this very case serves also to illustrate the essentially law-enforcing spirit which dominates in the office of the Judge Advocate General. The impropriety and illegality of the sentence in this case was immediately recognized when the record arrived in the office for review. One opinion was prepared pointing out the irregularity and injustice, and directing that the findings be set aside. But the legality of such a direction was questioned, in the fact of a ruling by the Attorney General of the United States many years ago that a sentence of court-martial, once executed, can not be set aside even by the President himself. This raised the general question of the authority of the Judge Advocate General not merely to recommend for clemency (which would not have been an adequate redress for the convicted men in this case), but to direct the setting aside of the findings in a judgment of a court-martial for legal error where the sentence had been already executed (namely, in this case, the sentence of dishonorable discharge). The Secretary of War having sustained the doubt as to the authority of the Judge Advocate General to take such radical action, clemency was extended by the President releasing the men from confinement and restoring them to duty within about two months from the date of their conviction. At the same time a new measure was adopted by the Secretary of War in the shape of General Order No. 7, War Department, 1918, taking effect February 1, 1918, which prevented the recurrence of such instances by directing that the commanding general, upon confirming a sentence of death or officer's dismissal or dishonorable discharge should suspend the execution of the sentence pending a review of the case in the office of the Judge Advocate General. Thus immediate measures were taken to go as far as could be gone under the law, as conceded on all hands, to prevent the recurrence of the situation presented in the Texas mutiny case.

Meanwhile, in order to make more ample and unquestioned the authority of the Judge Advocate General over court-martial trials in matters of legal error, a bill amending the Federal statutes was drafted and was sent on January 19, 1918, by the Secretary of War to the chairmen of the Senate and House Military Affairs Committees. Subsequently the Judge Advocate General testified at some length before the House Military Committee in support of this bill. During the year that has elapsed since the dispatch of that proposed amendment neither the Senate nor the House committee has seen fit to take action upon the proposed legislation. It is therefore apparent that, to the extent that there may exist to-day any doubt as to the amplitude of the authority to reach out and control these legal errors occurring in court-martial proceedings and to the extent that it may be desirable to amplify that authority beyond present terms of the law, the responsibility for failure to take such action is to be laid not at the door of the Judge Advocate General's office, but at the door of the Military Affairs Committees of Congress.

II. *General principles and methods in military justice.*

Assembling the various criticisms of a general nature contained in Senator CHAMBERLAIN'S remarks, they seem to be reducible to the following six heads:

1. That a soldier may be put on trial by a commanding officer's arbitrary discretion without any preliminary inquiry into the probability of the charge.

2. That commanding officers do thus put on trial a needlessly large number of trivial charges.

3. That the courts-martial themselves, as a rule, impose sentences which are excessively severe and inequitably variant.

4. That the Judge Advocate General's office either partakes in the same attitude or makes no attempt to check it by revisory action.

5. That such attempts as the Judge Advocate General's office does make are fruitless, because its rulings are recommendatory only and are either ignored by the division commanders or vetoed by the chief of staff.

6. That the general treatment of accused soldiers is not according to the rigid limitations of law as embodied in the criminal code, but is according to the arbitrary discretion of the commanding officer in each case.

It is my belief that the candid study of the facts will show that all six of these assertions are incorrect as representing the general conditions and apart from occasional individual cases. But before setting forth the recorded facts bearing upon the correctness of the above six assertions, some general features should be kept in mind as positive features of protection for the accused, possessed by military justice, and wholly or substantially lacking in civil justice.

(a) In military justice there is automatically a double examination of every serious case in the nature of appellate or revisory action by superior and supreme authority. This is in sharp contrast to civil justice, where there is no appellate or revisory action unless the accused insists on it. Every soldier is assured of this double safeguard against illegal or unfair condemnation. The proceedings, except in case of inferior courts, are taken down verbatim, and every word of the testimony, every ruling of the court, and every claim of the counsel is submitted first to the reviewing authority in the field and next to the revisory authority at Washington. The reviewing authority has for his legal adviser a commissioned judge advocate of the rank of major or lieutenant colonel, and since September, 1917, almost all of these have been lawyers of high standing, fresh from civil life, and imbued with the standards and traditions of civil practice rather than those of the Regular Army; hence likely to give fully as careful scrutiny as any civilian judge would give. On arriving at Washington for the second scrutiny, the records go to a staff composed 95 per cent of officers fresh from civilian life, ranking major to colonel. The record goes first for

scrutiny to a single officer of the military justice division, who prepares a full summary and recommendation; then to a board of review of three officers, who approve or modify the recommendation; then to the chief of division, who again scrutinizes and approves or modifies; and finally to the Judge Advocate General or Acting Judge Advocate General, who appends his signature if satisfied. Every general court-martial case thus obtains this thorough scrutiny in two separate stages, or virtually four distinct stages. No such guaranties exist in any civilian court of the United States or probably of the world.

(b) Every military sentence as to period of confinement is virtually indeterminate, i. e., it has no minimum, and it can later be reduced to a few months or nothing. After a prisoner's sentence is affirmed he is entitled to ask for clemency every six months. Such application is forwarded automatically by the prison superintendent to Washington and comes to the Judge Advocate General's office for recommendation. The whole record is then again reviewed. How extensively this method results in commuting sentences will be shown later. The clemency section of the Judge Advocate General's office automatically acts on all such applications. Thus there is a further opportunity for correcting possible errors.

(c) The foregoing safeguards are applied without any expense to the accused. Here again is a feature wholly unknown to civilian justice. Reformers have for generations urged that civilian justice give to accused persons the fullest benefit of appellate revision without cost. They have never succeeded. But military justice already possesses this beneficent feature.

In examining the system of military justice, therefore, to see whether it permits results and methods contrasting unfavorably with our notions of civilian justice, let it be kept in mind from the outset that the American system of military justice starts with three great safeguards which are lacking in civilian justice, viz, an automatic double appellate review of every case before sentence is executed, a virtually automatic third review after sentence, and the application of these safeguards without reference to the accused's ability to raise money to pay for them.

I now take up the supposed general shortcomings alleged in Senator CHAMBERLAIN'S remarks:

1. PUTTING ON TRIAL WITHOUT PRELIMINARY INQUIRY.

Every system of penal justice has some method of insuring the exercise of caution by a responsible officer in scrutinizing an accusation before an accused is put to the necessity of defending himself by a formal trial. The traditional method inherited by us in civilian justice, for serious offenses, is the presentment of a grand jury. This method has now proved cumbrous and ineffective; it has been abandoned in a majority of our States. The modern method of those States is a so-called information by the official State prosecutor, filed after such inquiry as he sees fit to make. This modern method is the one to which France and other continental nations arrived some centuries ago, about the time when England developed the grand jury instead. This modern American method is also the one used in our courts-martial; it arrived in the Anglo-American military system some centuries ago by adoption from Scotland, which itself had adopted the French system; for the French were the great military nation of three centuries ago.

By this Anglo-American military system some officer must file charges before any soldier can be tried. This protection is invariable. Often the judge advocate, as legal adviser, additionally scrutinizes a serious charge before it is filed. This is exactly the protection given by the State official prosecutor in the modern American method. How essential and thorough is this protection can only be appreciated by perusing the strict terms of the law and regulations. Paragraph 62 of the Manual for Courts-Martial reads:

"By the usage of the service all military charges should be formally preferred by—that is, authenticated by the signature of—a commissioned officer."

Paragraph 75 reads:

"Submission of charges: All charges for trial by court-martial will be prepared in triplicate, using the prescribed charge sheet as a first sheet and using such additional sheets of ordinary paper as are required. They will be accompanied—

"(a) Except when trial is to be had by summary court, by a brief statement of the substance of all material testimony expected from each material witness, both those for the prosecution and those for the defense, together with all available and necessary information as to any other actual or probable testimony or evidence in the case; and

"(b) In the case of a soldier, by properly authenticated evidence of convictions, if any, of an offense or offenses committed by him during his current enlistment and within one year next preceding the date of the alleged commission by him of any offenses set forth in the charges.

"They will be forwarded by the officer preferring them to the officer immediately exercising summary court-martial jurisdiction over the command to which the accused belongs, and will by him and by each superior commander into whose hands they may come either be referred to a court-martial within his jurisdiction for trial, forwarded to the next superior authority exercising court-martial jurisdiction over the command to which the accused belongs or pertains, or otherwise disposed of as circumstances may appear to require."

Paragraph 76 proceeds:

"Investigation of charges: If the officer immediately exercising summary court-martial jurisdiction over the command to which the accused belongs or pertains decides to forward the charges to superior authority, he will, before so doing, either carefully investigate them himself or will cause an officer other than the officer preferring the charges to investigate them carefully and to report to him, orally or otherwise, the result of such investigation. The officer investigating the charges will afford to the accused an opportunity to make any statement, offer any evidence, or present any matter in extenuation that he may desire to have considered in connection with the accusation against him. (See par. 225 (b), p. 112.) If the accused desires to submit nothing, the indorsement will so state. In his indorsement forwarding the charges to superior authority, the commanding officer will include: (a) The name of the officer who investigated the charges; (b) the opinion of both such officer and himself as to whether the several charges can be sustained; (c) the substance of such material statement, if any, as the accused may have voluntarily made in connection with the case during the investigation thereof; (d) a summary of the extenuating circumstances, if any, connected with the case; (e) his recommendation of action to be taken."

It will therefore be seen that the regulations require the strictest scrutiny by a responsible officer before any accused can be put on trial by a court-martial.

In Senator CHAMBERLAIN'S remarks occurs the following sentence: "The commanding officer may, without any investigation of the circumstances, order a man tried by court-martial; in the French Army such cases are not sent to trial until investigation can determine whether the man ought to be tried." How is it possible for such an assertion to be made in the face of the law and regulations represented in the quotation above from paragraph 76 of the manual? The safeguard contained in our manual of military justice stands on exactly the same footing with the safeguard contained in the modern method of the State prosecutor and of the French system as cited by Senator CHAMBERLAIN.

But whatever may be the law and the regulations, doubtless it may be asserted that the regulation is not obeyed in spirit. This is, in fact, the precise assertion of Senator CHAMBERLAIN in a further paragraph of his remarks; and to that assertion I now come.

2. EXCESSIVELY LARGE NUMBER OF TRIVIAL CHARGES.

It is asserted by Senator CHAMBERLAIN that commanding officers direct the filing of trivial charges in excessively large numbers. His precise language is: "It is not surprising, under the circumstances, that there are too many trivial cases sent to trial by court-martial."

Let us examine this assertion in the light of the facts of military justice during the past year, as shown by the records.

The United States military forces raised up to November 11, 1918, numbered some 4,185,000; of these about 200,000 were already in service at the opening of the war, of whom 127,000 were in the Regular Army. Thus over 90 per cent were new men, fresh from civilian life. It must be taken for certain that their unfamiliarity with military discipline and the novelty of its rigid restraints would produce an unusual proportion of minor breaches of discipline. In other words, if commanding officers had been merely as strict and rigorous as with the Regular Army before the war in pursuing minor breaches of discipline with court-martial charges, the ratio of trials would be at least as great and presumably far greater than before the war and the accession of the new Army.

But the facts show, on the contrary, that commanding officers must have been far less strict and rigorous than before.

Let us take first the serious charges brought before general courts-martial. The printed report of the Judge Advocate General for the fiscal year 1918 shows that the total number of general court-martial trials in the Regular Army of 127,000 in the year ending June, 1917, was 6,200, or about 1 for every 20 men; while the total in the entire Army for the year ending June, 1918, was less than 12,000, or only 1 for every 200 men (the military forces on May 31 numbering 2,415,000); and during the last six months of 1918 the total was 7,624, or at the rate per annum of only 1 for every 275 men (the military forces on Nov. 11, 1918, numbering 4,185,000). As to special courts-martial for the lesser offenses the number in the Regular Army for the year ending June, 1917, was 2,970, or 1 for every 42 men, while for the year ending June, 1918, it was 14,700, or only 1 for every 165 men. Moreover, as between the Regular Army and National Guard and the National Army or new drafted men, the number of general courts-martial for the year ending June, 1918, was 10,363 for the former and only 1,660 for the latter, or 1 for every 107 men in the Regular Army and National Guard (numbering on May 31, 1918, some 1,112,000, and composed in part of seasoned men), but only 1 in every 800 men for the National Army (numbering on May 31, 1918, some 1,333,000, and composed entirely of new drafted men), showing conclusively that commanding officers were more lenient and liberal with the men fresh from civilian life.

Turning now to the "trivial offenses" referred to by Senator CHAMBERLAIN, they are covered by the summary courts-martial, representing the extremely petty disciplinary penalties not requiring a review by the division commander. The number of trials for the Regular Army, viz, 48,000 in 1917 (rising from an average of 38,000 for 10 years past, due to a proportionate increase in the size of the Regular Army), rose in the year ending June, 1918, to only 212,000, or slightly more than four times the number, although the entire military forces in the year ending June, 1918, rose to 2,415,000, or nineteen times the former size. In short, the petty disciplinary penalties dropped from a ratio of 1 to each 2.7 men to a ratio of 1 to each 11.4 men, or a decrease for 1918 to less than one-quarter of that of 1917.

There could be no more conclusive demonstration that commanding officers, though faced with a situation full of inducement to rigor in enforcing discipline among raw and untrained men, did, in fact, use remarkable consideration and self-restraint in not resorting to the instrumentalities of courts-martial. The facts show, therefore, precisely the opposite of the condition asserted by Senator CHAMBERLAIN.

3. SEVERITY AND VARIABILITY OF SENTENCES BY COURTS-MARTIAL.

The severity and variability of the sentences are two distinct features, and I shall therefore take them up separately, and under each of the two heads I shall further set forth the facts according to the respective offenses, because there can hardly be a common standard of either severity or variability for all offenses. In order to abridge my presentation I have taken the nine most common military offenses. In the tables of figures appended to this letter will be found the detailed data, to which I shall refer in the text of my letter.

(1) Severity of sentences: In considering the severity of sentences it is, of course, necessary to examine separately the different offenses, since obviously the appropriate punishment varies widely for offenses of different moral culpability and different danger to military discipline.

(a) Desertion: No one can approach the subject of sentences for desertion in time of war without keeping in mind the solemn and terrible warning recorded expressly for our benefit by Brig. Gen Oakes, acting assistant provost marshal general for Illinois, as set forth in his report printed in the Report of the Provost Marshal General for the Civil War (pt. 2, p. 29). In impressive language he lays the following injunction upon us:

"Incalculable evil has resulted from the clemency of the Government toward deserters. By a merciful severity at the commencement of the war the mischief might have been nipped in the bud and the crime of desertion could never have reached the gigantic proportions which it attained before the close of the conflict. The people were then ardent and enthusiastic in their loyalty and would have cheerfully and cordially assented to any measures deemed necessary to the strength and integrity of the Army. They had heard of the Rules and Articles of War, and were fully prepared to see * * * that deserters from the Army would be remorselessly arrested, tried by court-martial, and, if guilty, be forthwith shot to death with musketry.

"This was unquestionably the almost universal attitude of the public mind when hostilities began, and the just expectations of the people should not have been disappointed. Arrest, trial, and execution should have been the short, sharp, and decisive fate of the first deserters. * * * The Government was far behind the people in this matter, and so continued until long and certain immunity had thrown such swarms of deserters and desperadoes into every State that it was then too late to avert the calamity. * * * I state these things so that if we have another war the Government may start right—put deserters

to death, enforce military law, strike hard blows at the outset, tone up the national mind at once to a realization that war is war, and be sure that such a policy will be indorsed and sustained by the people.

"There are other suggestions to be made in respect to deserters, but the one I have already advanced—the nonenforcement of the penalties provided by the military code for the crime of desertion, especially at the beginning—is, beyond all question, the grand fundamental cause of the unparalleled increase of that crime and of the inability of district provost marshals, with their whole force of special agents and detectives, to rid the country of deserters."

This solemn warning was naturally in our minds at the opening of the present war. But, in spite of its urgency, it was decided to exhibit our faith in the American people and to place our trust in that loyalty and devotion to duty which we felt sure would characterise the vast majority of to-day's young American manhood. We believed that the "short, sharp, and decisive fate of the first deserters" should not be the extreme penalty as urged by Gen. Oakes. And the view was generally accepted in the Army that terms of imprisonment should be ordinarily deemed the adequate repressive measure for the few who might need it. And it is a fact that of the 2,025 convictions covered by the figures shown in Table A there is not a single sentence of death for desertion.

It must, therefore, be kept in mind at the outset that the refusal to adopt the policy of death sentences for desertion was in itself a repudiation of the policy of extreme severity, and that the practice of limiting desertion sentences to terms of imprisonment is in itself the adoption of a policy of leniency. There may be a reproach for variability; but reproach for severity must deal with the fact that the policy adopted disregarded the extreme penalty authorized by Congress.

Turning, then, to the recorded facts, we find (Table A) that the total number of convictions for desertions for the year October, 1917–September, 1918, was 2,025; that the average sentence was 7.58 years; that nearly 24 per cent of these sentences were for less than 2 years; that 64 per cent were for less than 10 years; and that only 35.90 per cent were for a greater period than 10 years. The article of war reads: "Any person who deserts shall, if the offense be committed in time of war, suffer death, or such other punishment as the court-martial may direct." It would seem, therefore, that in point of severity the result of court-martial sentences for desertion can not be charged with erring on the side of severity.

You will notice that I do not here attempt to account for the justice of individual cases. Certain of the sentences for 25 years or even for lesser periods are open to criticism as excessively severe under the circumstances of the individual case. But it must be kept in mind that these trials and sentences were found legally valid by the Judge Advocate General's office; that the only issue of doubt that could arise concerns the quantum of the sentence; and that the scrutiny of the clemency section in the Military Justice Division of the office may be relied upon to detect cases of excessive severity before any substantial portion of such a sentence has been served. Indeed, by the plan already this month sanctioned by yourself and announced to the public, there is now proceeding a general revision of sentences which will include in its scope the majority of all sentences, and not merely the excessively severe ones. But the excessive severity of an individual sentence is not the question here; that question would call for the scrutiny of the particular case. The question here is of general conditions. What the above figures show in respect to general conditions, or the trend of conditions, is that the practice has been one of relatively moderate penalties instead of the severest one permissible under the law.

(b) Absence without leave (Table A, No. 2): Absence without leave is an offense which represents, in many instances, cases of actual desertion; but, owing to the movements of the military unit and thus the difficulty of obtaining the necessary technical proof, the actual deserter is frequently convicted of no more than an absence without leave. It is, therefore, plain that the offense of absence without leave may, upon its circumstances, merit an extremely severe penalty, equal to that of desertion. In time of war this offense may lawfully be punished by any penalty short of death; in time of peace a presidential order limits the maximum penalty to six months' confinement.

For the year ending September, 1918, the total convictions for this offense numbered 3,362; the average sentence was 1.59 years (or only three times the small maximum allowed in peace times); 11 per cent of the offenses received no penalty or imprisonment; 67 per cent received a sentence of less than 2 years imprisonment; and only 22 per cent received a penalty of more than 2 years in prison. When it is remembered, as above pointed out, that this offense is in many cases virtually the offense of an actual deserter, it will be seen that the number of the sentences over two years may not be disproportionate to the probable ratio of cases individually calling for the higher penalties. An average of 1.58 years for this offense, committed in time of war, can not be deemed an exhibition of severity, where, in fact, the act of Congress establishing the Articles of War leaves the court-martial absolutely untrammeled (short of the death sentence) in the penalty to be fixed to this offense.

(c) Sleeping on post (Table A, No. 3): The offense of sleeping on post is punishable by death in time of war, and in time of peace "any punishment except death that a court-martial may direct." There were two sentences of death imposed by courts-martial in France for sleeping on post in the zone of operations and in the front-line trenches; those two individual cases I have already commented on in the first part of this letter. Of the whole 609 convictions, some 575 of the offenses took place in the United States, where it may be supposed that the highest penalty suitable for forces engaged with the enemy would hardly be applicable. And it is a fact that of the entire 575 there was only one sentence over 15 years and only four sentences over 10 years. For 10 per cent of the sentences no imprisonment at all was prescribed; for 62.40 per cent of the sentences, the period imposed was less than 2 years; and all told, only 27.42 per cent of the sentences were for more than two years. Having in view the maximum provisions of the Articles of War, it seems plain that the treatment of this offense by courts-martial can scarcely be called a harsh one.

(d) Assaulting a superior officer (Table A, No. 4). The offense of assaulting an officer is punishable, under the Articles of War, by "Death or such other punishment as the court-martial might direct"; and this irrespective of a state of war or of peace. The total convictions for this offense were only 31, giving an average sentence of 4.10 years; nearly 50 per cent of them being for a period of less than 2 years. Again, one may say that in the face of the capital punishment expressly authorized as a maximum by the Articles of War, courts-martial have not followed a practice which may be characterised as harsh or severe.

(e) Assaulting a noncommissioned officer (Table A, No. 5). The offense of assaulting a noncommissioned officer is liable to "any punishment that the court-martial may direct"; and this irrespective of a state of peace or war. The total number of such convictions was 132; the average sentence was 2.36 years; more than 6 per cent were punished without imprisonment, and more than 57 per cent were punished by imprisonment of less than 2 years. There are half a dozen sentences for upward of 10 years; the justification for these must rest upon their individual circumstances. But the average sentence of 2.36 years, compared with the maximum allowable under the Articles of War, can not be admitted to exhibit a general disposition to severity, but quite the contrary.

(f) Disobeying a noncommissioned officer (Table A, No. 6). The disobedience of the lawful order of a noncommissioned officer is by the Articles of War placed under the same penalty as the assaulting of a noncommissioned officer, that is, the court-martial has complete discretion in choosing the penalties, except that of death. The total number of convictions was 411, and the average sentence was 3.04 years; 8.27 per cent of sentences gave no period of imprisonment; 50 per cent gave a period of less than 2 years.

In itself, this average sentence, comparing it with the maximum allowed by the Articles of War, can not be referred to as a severe one. It is notable, however, that this offense of disobeying a noncommissioned officer, received a higher average of sentence, viz, 3.04 years, than the apparently more heinous one of assaulting a noncommissioned officer, viz, 2.36 years. It may be admitted that some explanation remains to be sought for this apparently anomalous result, but it can be pointed out here that the disobedience of a noncommissioned officer is often of a deliberate character, making the offense a highly serious one, whereas the offense of assaulting an officer is often the result merely of a quick temper without any deliberate intention of resistance to authority, and that it thus deserves considerate attention by the tribunal.

(g) Mutiny (Table A, No. 7). There were 51 convictions for mutiny; the average sentence was 7.03 years; 27 per cent fell between 2 and 3 years, and 43 per cent fell between 10 to 15 years; the other sentences scattering over the various percentages. The Articles of War provide that a person guilty of mutiny "shall suffer death or such other punishment as the court-martial may direct," irrespective of a state of peace or war. When committed in its most significant form, it is, of course, the most heinous offense of a soldier. But it may also be committed under much less culpable circumstances. In short, it gives an opportunity for the widest range of discretion in the imposition of sentences. This inherent quality is reflected in the wide range of sentences actually imposed. In view of the fact that, in an army numbering more than 3,000,000 men at the time covered by these records, there were only 51 offenses in the nature of mutiny or related thereto, out of a total number of offenses of 12,472, it is plain that the number of such convictions is extremely small; and it must be inferred that the commanding officers were not seeking relentlessly for offenses that could be characterized as mutiny, and that the offenses actually characterized as such were offenses which well deserved the name. From June, 1917, to June, 1918, when the Regular Army and National Guard together consisted of less than 300,000 men, the total number of convictions for mutiny was 43; and yet with an Army of 10 times the size, the number of convictions for mutiny increased only one-fifth. It seems obvious that the practice of courts-martial during the year of the war could hardly justify a reproach of severity for the offense of mutiny.

(h) Disobeying standing orders (Table A, No. 8): This offense is punishable under the Articles of War by such sentence of imprisonment as the court-martial may direct. The total number of convictions for this offense was 208; the average sentence is 1.96 years; for 12 per cent of the sentences no period of confinement was imposed; for 60.58 per cent a confinement of less than 2 years was imposed; 10.58 per cent of sentences were between 5 and 10 years; the rest scattering in other periods. In view of the maximum limit permitted to the discretion of the court under the Articles of War, and in view of the variety of circumstances effecting the nature of this offense, it can not be said that the tendency of the courts has been to severity.

(i) Disobeying an officer (Table A, No. 9): The offense of disobeying a superior officer is punishable, under the Articles of War, by "death or such other punishment as the court-martial may direct"; it is covered by the same article of war that deals with assault on a superior officer, but obviously it should usually rank as an offense of lower grade. The total number of convictions for this offense was 785; the average sentence was for 4.34 years; 6 per cent of sentences were punished by imprisonment; 43.60 were punished by confinement of less than 2 years; and a trifle over 50 per cent were punished by some period greater than 2 years, there being 1 death sentence and 18 sentences for 25 years or more. It will be noticed that the average sentence for this offense was almost identical with the average sentence for the offense (No. 4 above) of assaulting a superior officer, and that in both cases a little less than 50 per cent of sentences were for periods of confinement less than 2 years. But these two offenses were treated differently with respect to the sentences for higher periods; the bulk of the long-term sentences for assaulting an officer lying between 5 and 10 years, while for the offense of disobeying an officer, they were spread out over the periods between 3 years and 25 years or more. Comparing the absolutely unlimited nature of the punishment permitted by the Articles of War to be imposed by the court-martial, and observing that 50 per cent of these sentences were for periods of under 2 years, it can not be that the tribunals appear to be seeking to exercise the maximum of severity allowable, but rather the contrary.

This completes my survey of the sentences for the nine principal military sentences.

In the foregoing comments it will be noticed that, since a charge of excessive severity implies the habitual resort to a maximum standard allowable under the law, the standard here to be taken must of necessity be the standard set by the Articles of War as adopted by the act of Congress. Judging by this standard, the practices of the court-martial, to any candid observer, must be vindicated from the charge of the habitual employment of severity; rather have they proceeded in a direction of a lenient use of their discretion.

But the mind naturally seeks to test this issue of severity by any other accepted standard that may be available, apart from the intangible standards of individual notions. There appear to be two and only two such other standards available. One is the standard to be gathered from former practice in the Army; the other is the standard to be gathered from civil courts. Neither of these is entirely appropriate; but it is my duty to see what light can be thrown by them upon the present subject.

(A) Former practices of courts-martial: Unfortunately the records available in the printed reports of former years are but scanty in their application to the present purpose. No data as to the length of sentences have been published in the former reports of my office, except in the report for the fiscal year 1917–18, and then only for the offense of

desertion. Taking these data for such light as they may give us (Table XIV, page 31, Report of the Judge Advocate General, 1918), we find that the length of sentence did increase gradually during that year. The figures are as follows:

Desertion.

Month.	Convictions.	Total months' confinement given as part of the sentence.	Average months' confinement (total months' confinements divided by sentences imposed).
1917.			
May	3	48	15
June	8	276	34.5
July	17	560	52.9
August	27	540	22.5
September	44	1,604.75	38.21
October	56	2,521.75	45.85
November	52	1,863	36.53
December	93	5,153	57.26
1918.			
January	203	9,057	48.43
February	202	8,925	50.14
March	202	13,088.75	69.25
April	228	16,906	79.75
May	194	19,109	99.53
June	224	24,399	112.96
Total	1,553	104,051.25	71.02

It will thus be seen that the average sentence for the year ending June, 1918, was almost exactly six years, as compared with an average of 7.58 years for the period October 1, 1917, to September 31, 1918, and that the average of six years for the period May, 1917–June, 1918, started at between two and three years for the first seven months of the war, and then rose steadily until it was reaching nine years in the fifteenth month of the war.

I do not pretend to be able to interpret the significance of this gradual rise in the average length of sentence for the offense of desertion. So many conditions are involved that any one of several hypotheses may account for the circumstance. I content myself with pointing out, as a possible explanation, the principles already quoted from Brig. Gen. Oakes in his report on desertion in the Civil War, viz, it is quite possible that the military tribunals began with an extremely low penalty, but that as the training of the new forces proceeded in camps a general impression obtained that the protection of the Army against the spread of desertion required a somewhat more stringent penalty.

As to any other offenses than desertion, and as to any periods prior to June, 1917, it is not now feasible to ascertain what were the standards of courts-martial sentences in peace-time practices. But inasmuch as a condition of war transforms the whole situation for military discipline and puts into effect the strictest standards of military behavior, it is not possible to presume that the sentence length imposed in former peace-time practice would afford a suitable standard for comparison with war-time practice.

(B) Standard gathered from civil courts: Here it will be necessary to depart from the list of principal military offenses, which have no counterpart in the civil courts, and to resort to the principal civil offenses represented in the military records. The criminal statistics of the United States are but imperfectly organized for study, and the only available record for the present purpose that could be found, after extensive search, in the report of the Director of the Census for 1910, entitled "Prisoners and juvenile delinquents in the United States," Table 42, at page 64, sets forth the variance in periods of sentences imposed for the various civil offenses. Setting these side by side with the sentences imposed for the corresponding offenses by military courts during the year ending September, 1918, the result is shown in the following Table I.

TABLE I.—*Sentences for civil offenses in military and civil courts compared.*

Offense.	Court.		Total.	Life or death.	10 years and over.	5 to 9 years.	2 to 4 years.	1 to 2 years.	Under 1 year.
Forgery	Military	number	223	.....	35	63	69	20	35
		per cent	100	.....	15.7	28.3	30.9	9	16.1
	Civil	number	1,290	.....	43	146	569	323	209
		per cent	100	.....	3.3	11.3	44.1	25	16.3
Perjury	Military	number	14	.....	.....	.....	2	3	9
		per cent	100	.....	.....	.....	14.3	21.4	64.3
	Civil	number	128	.....	1	3	38	49	37
		per cent	100	.....	0.8	2.3	29.7	38.3	28.9
Embezzlement	Military	number	162	.....	22	31	36	23	50
		per cent	100	.....	13.6	19.1	22.2	14.2	30.9
	Civil	number	487	.....	7	22	76	117	265
		per cent	100	.....	1.4	4.5	15.6	24	54.3
Robbery	Military	number	117	.....	42	34	28	3	10
		per cent	100	.....	35.9	29.1	23.9	2.6	8.5
	Civil	number	904	2	192	205	229	133	143
		per cent	100	0.2	21.2	22.7	25.3	14.7	15.9
Larceny	Military	number	1,025	.....	89	131	237	188	380
		per cent	100	.....	8.7	12.8	23.2	18.3	37
	Civil	number	19,136	3	120	393	1,970	2,636	14,014
		per cent	100	.....	0.6	2.1	10.3	13.8	73.2
Rape	Military	number	15	[1] 7	4	2	1	.....	1
		per cent	100	46.6	26.7	13.3	6.7	.....	6.7
	Civil	number	763	[2] 38	181	174	149	117	94
		per cent	100	5	24	23.1	19.8	15.5	12.6
Gambling	Military	number	15	.....	1	3	1	.....	10
		per cent	100	.....	6.7	20	6.7	.....	66
	Civil	number	671	.....	.....	1	7	20	643
		per cent	100	.....	.....	0.1	1	3	95.9
Burglary	Military	number	29	.....	4	8	7	3	7
		per cent	100	.....	13.8	27.6	24.1	10.4	24.1
	Civil	number	4,925	7	227	750	2,015	1,062	864
		per cent	100	0.1	4.6	15.2	40.9	21.6	17.6
Threats to do bodily harm	Military	number	30	.....	5	4	5	3	13
		per cent	100	.....	16.7	13.3	16.7	10	43.3
	Civil	number	235	.....	.....	1	2	14	218
		per cent	100	.....	.....	0.4	0.9	6	92.7
Murder	Military	number	24	[3] 10	4	2	2	3	3
		per cent	100	41.7	16.7	8.3	8.3	12.5	12.5
	Civil	number	937	[4] 814	109	3	7	4	.....
		per cent	100	86.9	11.7	0.3	0.7	0.4	.....
Manslaughter	Military	number	33	.....	[5] 7	5	[6] 9	6	6
		per cent	100	.....	21.2	15.2	27.2	18.2	18.2
	Civil	number	1,437	[7] 24	520	419	341	97	36
		per cent	100	1.6	36.2	29.1	23.7	6.8	2.5

[1] 6 hanged. [2] 3 death. [3] 2 hanged, 2 commuted. [4] 118 death. [5] 3 mitigated. [6] 1 mitigated. [7] 5 death.

In the above table the percentages are the significant items. On the whole, it appears that the percentage of long sentences is greater in the military courts than in the civil courts. For example, in the offense of forgery the sentences of 10 years and over were 15.7 per cent of all sentences, while in the civil courts they were only 3.3 per cent; the sentences for 5 to 9 years were 28.3 per cent, while in the civil courts they were only 11.3 per cent.

But this general trend is marked by so many exceptions that it is hardly open to any general conclusions. For example, in perjury the military court gave a sentence of under one year for 64.3 per cent of the cases, while the civil court gave its lowest sentence in only 28.9 per cent of the cases. Similarly for burglary the military court gave its lowest sentence in a larger percentage of cases than did the civil court. So, too, turning to the highest sentence it appears that murder and manslaughter received less severity of sentence in the military courts than in the civil courts; for murder only 41.7 per cent were sentenced in military courts to the death penalty or life imprisonment, while in the civil courts 86.9 per cent received such penalty; and similarly for manslaughter the percentages of sentence of life imprisonment or imprisonment of 10 years or over or imprisonment from 5 to 9 years were only about half as large as the percentages of the same sentences in the civil courts.

Moreover, it must also be remembered that the moral heinouness and danger of even these civil offenses, common to both codes, varies more or less in military life and civil life. Larceny, for example, which to the civilian mind never receives the deepest measure of reprobation among property offenses, has long been deemed throughout the rank and file of the Army as an intolerable offense, for the safety and mutual confidence of military intimacy as fellow soldiers becomes impossible unless every soldier can be assured that his few and precious belongings can be safely left unguarded in his restricted quarters. In those sections of our country where the horse has always been indispensable to every man's daily occupation, the offense of horse stealing is visited with penalties which seem grossly severe to the residents of other communities; indeed, so far has this principle been carried that in one Southwestern State noted for its splendid horses the law (unless it has been recently changed) permits the owner of a horse to shoot the horse thief while in the act of running away with the property, a privilege

not accorded by the law of any other State. It is undoubtedly due to this sentiment that in the table above the offense of larceny is found to be visited with sentences of more than two years in percentages considerably in excess of the percentages found in the sentences of civil courts.

I mention the foregoing instances only as a preface to the general suggestion that the use of longer terms of sentences in military courts than in civil courts for some of the above civil offenses may well be explained by the exigencies of internal military life and by the habitual standards of military conduct known to all soldiers, rather than by any disposition on the part of military tribunals to impose heavier sentences for offenses of an identical nature.

I close this part of my letter, therefore, by noting that the general practices of courts-martial, judged by the maximum sentences allowable by the military code, must be deemed not to merit the charge of excessive severity and that, in my own opinion, they rather merit the opposite characterization.

This general condition of things, however, I repeat, must, of course, be sharply discriminated from the question of the excessive severity of a particular sentence measured in the light of the circumstances of the individual case. That is a question totally irrelevant to the judgment to be passed upon the propriety of the practices of courts-martial in general, as judged by their average treatment of the offenses coming before them.

(2) Variability of sentence: When we come to the question of variability of sentences we reach a subject which has been the fertile field for complaint and criticism in civil courts for a century past. It is notorious that the independent judgment of different courts and of different juries seems to be characterized by the most erratic and whimsical variety. Such has been the constant burden of complaint in civil justice, and it can hardly be hoped that military justice could escape a similar complaint in some degree. On the other hand, it must always be remembered that here the individual circumstances vary so widely that a variation of sentences is perfectly natural, and that the more variation of figures in itself signifies very little, where the individual circumstances remain totally unknown to the critic. Nevertheless, a variability of sentences for the same offense is something which naturally excites attention and caution, and it should be the object of appellate authorities to equalize the penalties for the same offense where no obvious reason for substantial difference is found. How far the revisory authority of the Judge Advocate General and the clemency powers of the Secretary of War have been effectual to secure such equalization will be noted later in this letter. At the present the inquiry of fact is whether there has been such variability and at what points it has taken place.

Table A, above referred to and annexed to this letter, summarizes for the nine principal military offenses the variance of the sentences; first, by months of the year covered; and, secondly, by jurisdictional areas from which the court-martial records come up for revision. In summary of these variances, it is here to be noted that such variances obviously exist; that these variances are not in themselves any more striking than those that are found in the sentences of civil courts, as already shown in Table B; and that in seeking the possible source of these variances it appears very strikingly that there has been a slight but appreciable increase in the number of higher-period sentences as we come down to the later months of the war; and that, so far as jurisdictional areas are concerned, there have been notable variances which seem, in some cases, to localize the higher-period sentences, for certain offenses, in certain specific areas.

As illustrating the foregoing inferences, it will be sufficient here to take the single offense of desertion. Examining it by months, it will be noticed that the long-term sentences of 10 to 15 years and of 15 to 25 years and over 25 years increase slightly in their ratio to the whole of the sentences for the month as we approach the later months of the year under examination. For example, for the months of October, 1917, to February, 1918, there were no sentences over 25 years, although the number of convictions increased from 55 to 196 (the increase, of course, being due to the much greater ratio in the increase of armed forces). But during the months of April to July, with approximately the same number of convictions, averaging 225, the number of sentences for over 25 years increased from 4 to 9, to 15, and finally to 33. Apparently, therefore, some conditions in the Army changed as the months advanced so as to induce this variance in the direction of higher-period sentences. Just what those conditions were are not even the subject of speculation without a very careful inquiry; merely the fact is here pointed out.

Again, turning to the jurisdictional areas, we find that the Central Department shows about 9 per cent of sentences for over 10 years, while the Eastern Department shows only 8 per cent; that the Twenty-eighth Division, having 21 convictions, imposed no sentences in excess of 10 years, while the Eightieth Division, with exactly the same number of convictions, imposed 14 sentences greater than 10 years.

As further indicating this variance by jurisdiction areas, a glance at the same Table A, under the offense of "absence without leave," shows that in the Twenty-eighth Division, which exhibited the above leniency for desertion, so the offense of absence without leave was given a sentence of under 2 years for 127 out of 140 convictions, while the Eightieth Division, which had shown a large majority of long-term sentences for desertion, was, on the other hand, lenient for the offense of absence without leave, imposing 16 sentences of under 2 years out of 20 convictions. Comparing again the Thirty-sixth and Thirty-ninth Divisions, with substantially the same number of convictions, viz, about 175, one finds that the former imposed about 20 sentences of above 10 years, while the other imposed 101 sentences above 10 years. This same Thirty-ninth Division had also used a majority of higher-period sentences for desertion, whereas the Thirty-sixth Division showed for desertion a record that averaged with the other divisions.

It will be seen, therefore, than in many, if not in most, cases the extreme variance may be traced to difference of practice in the different jurisdictional areas. Just what conditions existed which would justify in the individual cases, or in the general trend of cases, this variance between divisions can hardly be the subject even of hypothesis. But it must be obvious to any candid observer that there do exist wide differences of conditions, not only in the racial and educational makeup of the different camps but also in the morale and necessities of discipline prevailing in different camps. It is well known that the sentences of civil courts for civil offenses vary widely in the different States. For example, in 1910 (census report above cited, p. 50), the percentage of sentences of 10 years or over was 9.7 in the East South Central States, but was only 0.1 in the New England States; in Mississippi it was 22.51, but in California it was only 2.3. This illustration is mentioned merely to suggest that whenever one discovers that variances in sentences have a certain relation to variances in camps or divisions, the subject becomes at once too complex for hasty judgment.

Whatever may have been done or may now be contemplated as to the equalization of sentences by commutation in the way of clemency, I am only concerned here to point out the facts as they are found in the records relative to the action of the courts-martial themselves, and to note that such variances (apart from peculiar individual cases) as are revealed in any noticeable amount, seem to be due most largely to differences of conditions in the different camps, divisions, and other jurisdictional areas, and the greatest caution must be exercised before passing judgment upon such variances as inequitable, without being fully familiar with the conditions operating in those places.

I can not leave this subject without inviting attention to the enlightened tenor of the principles inculcated thoroughly upon the members of courts-martial by the manual which serves as their guide. This manual is required to be studied by all candidates for appointment as officers in the training camp, and a familiarity with its contents is required. Paragraph 342, on the adaptation of punishments, reads as follows:

"In cases where the punishment is discretionary, the best interests of the service and of society demand thoughtful application of the following principles: That because of the effect of confinement upon the soldier's self-respect, confinement is not to be ordered when the interests of the service permit it to be avoided; that a man against whom there is no evidence of previous convictions for the same or similar offenses should be punished less severely than one who has offended repeatedly; that the presence or absence of extenuating or aggravating circumstances should be taken into consideration in determining the measure of punishment in any case; that the maximum limits of punishment authorized are to be applied only in cases in which, from the nature and circumstances of the offense and the general conduct of the offender, severe punishment appears to be necessary to meet the ends of discipline; and that in adjudging punishment the court should take into consideration the individual characteristics of the accused, with a view to determining the nature of the punishment best suited to produce the desired results in the case in question, as the individual factor in one case may be such that punishment of one kind would serve the ends of discipline, while in another case punishment of a different kind would be required."

It is confidently believed that the principles thus inculcated upon members of the courts-martial will be found not to have been substantially departed from when tested by the results shown in the above figures for 1917–18.

4. ATTITUDE OF THE JUDGE ADVOCATE GENERAL'S OFFICE AS TO SEVERE OR VARIABLE SENTENCES.

The distinct implication running throughout the remarks of Senator CHAMBERLAIN is that there is no central authority which can check, equalize, and correct such severity or variability as may be found to be excessive; in other words, that the Judge Advocate General's office, charged with the duty of revising these court-martial records, either acquiesces in the results of the court-martial sentences as approved by the reviewing authority of the division or department or makes no attempt to check any excesses by revisory action.

It is necessary therefore to emphasize what has been already pointed out above, that the Judge Advocate General's office scrutinizes the court-martial records for the very purpose of discovering not only errors of law or procedure but also excesses of sentence. The law section of the Military Justice Division besides scrutinizing the records for errors of law or procedure has from time to time made recommendations, when sending back the record to the reviewing authority, that the sentence be revised. But, furthermore, the clemency section of the Military Justice Division occupies itself exclusively with the scrutiny of records after the man's confinement has begun and an application for clemency has been filed.

But it is not enough to point out the existence of these powers and practices of the Judge Advocate General's office. Inquiring into the results to see what the facts show I ask: To what extent has the Judge Advocate General's office called for a reduction of sentence by recommendation of clemency to the Secretary of War?

(1) The extent of such recommendations as to number of sentences will be found by taking the total number of sentences for all offenses classified by length of term, noting the number of these sentences recommended for reduction by clemency by the Judge Advocate General's office, and then reckoning the percentage of offenses of each length thus reduced. This gives the following results:

TABLE B.—*Distribution of sentence reductions by Judge Advocate General's office according to length of original sentence.*

	Total sentences, by length of terms, for 9 principal military offenses, Oct. 1, 1917–Sept. 30, 1918.	Sentences recommended by Judge Advocate General's Office for reduction, 9 principal military offenses, Jan. 1–Dec. 31, 1918.	
	Number.	Number.	Per cent.
Total	7,624	947	12.42
Below 2 years	3,886	330	8.49
2 to 3 years	483	174	36.02
3 to 5 years	482	135	28.00
5 to 10 years	1,064	197	18.51
10 to 15 years	626	68	10.86
15 to 25 years	373	33	8.84
25 years or more	159	10	6.28

The important thing to notice about the table is that it shows 12 per cent of the total sentences to have been reduced by clemency exercised on recommendation of the Judge Advocate General. I see no reason to doubt that this 12 per cent is ample enough to cover all the individual cases in which an excessive severity would have been apparent on the face of the record.

The above table shows the reduction in its relation to the sentences of different lengths. The table shows that the largest percentage of reduction occurred in the sentences of medium length, and that the smallest percentages of reduction occurred in the sentences of shortest and of longest periods.

This result is perfectly natural and appropriate. The shortest sentences are those in which there would be the least call for reduction by clemency on the ground of excessive severity. The longest sentences are those in which the reduction on the ground of excessive severity would presumably not bring them to an extremely low period and therefore in which the time for recommending such reduction had presumably not arrived.

(2) How much total reduction did this action effect in the total length of all the sentences acted upon? This will afford some gauge of the thoroughness of the action in the nature of clemency. Table C below shows the number of sentences recommended for reduction, the total years of the original sentences, the total years reduced on recommendation of the Judge Advocate General's office, and the net years of sentence as actually served. The figures are given for the nine principal military sentences, as well as for the total thereof.

Referring to the table for details as to the specific offenses, I will point out here merely that the total reduction effected was a reduction of 3,876 years out of an original period of 4,331 years, or a reduction of 89½ per cent. In other words, action of this office, in effecting reductions in the 1,147 sentences selected on their merits for reduction, cut them down to 10.50 per cent of their original amount. Presenting the same result in another form, the same table shows that the average original sentence of these 1,147 sentences was for a period of 3.78 years (or nearly four years), and that the average sentence as reduced was only 0.40 of one year, or less than five months.

These figures as to reduction effected in the length of the sentences demonstrate that the action of this office was a radical one, and must have served to eliminate the excessive severity in those sentences. That the sentences selected for such recommendations of clemency included all of the sentences meriting the term "severe," neither I nor anyone else would be in a position either to affirm or deny without a consultation of every record. But I think that it is fair to assume that the scrutiny of the officers of the Judge Advocate General's staff presumably included all of those cases in which an excessive severity was obvious on the face of the record.

TABLE C.—*Reductions of sentences recommended by clemency division, Judge Advocate General's office, according to amount of reduction, Jan. 1, 1918, to Dec. 31, 1918.*

Offenses.	Number of court-martial sentences, Oct. 1, 1917, to Sept. 30, 1918.	Number of sentences recommended by Judge Advocate General's office for reduction.		Years of original sentence in cases selected for recommendation.		Total years reduced on recommendation of Judge Advocate General's office.		Net years of sentence unserved.		Per cent of averages.
		Number.	Per cent.	Number.	Average.	Number.	Per cent on column 3.	Total years.	Average in years.	
Total offenses	12,472	1,147	9.20	4,331.23	3.78	3,876.69	89.50	454.59	0.40	10.50
Desertion	2,025	577	23.49	2,193.49	3.80	2,056.56	93.76	136.93	.24	6.24
Absence without leave	3,382	112	3.33	361.67	3.23	313.72	86.74	47.95	.43	13.26
Sleeping on post	609	63	10.34	187.08	2.97	150.14	80.25	36.94	.59	19.75
Assault and attempt to assault	173	34	19.65	135.00	3.97	108.09	80.07	26.91	.79	19.93
Mutiny	51	10	19.61	49.00	4.90	46.81	95.53	2.19	.23	4.47
Disobedience, disrespect, disloyalty	1,404	151	10.75	567.17	3.75	454.57	80.15	112.60	.75	19.85
Disobedience of regulations	208	46	22.16	192.75	4.19	116.07	60.22	76.68	1.67	39.78
Disobedience of orders	1,196	105	8.78	374.42	3.57	338.50	90.41	35.92	.34	9.59
Miscellaneous, forgery, larceny, etc	4,848	100	4.13	537.87	4.19	746.80	89.13	91.07	.46	10.87

5. EFFECTIVENESS OF RECOMMENDATIONS OF THE JUDGE ADVOCATE GENERAL'S OFFICE.

But the foregoing demonstration of the extent of mitigation of severity effected by the Judge Advocate General's Office, through its recommendations, is vain and meaningless, according to Senator CHAMBERLAIN. In his remarks I find it repeatedly asserted and implied that the commanding officer of the division or department—in technical expression, the reviewing authority—is not obliged to follow and does not follow these recommendations. "Court-martial sentences found by the reviewing authorities to be null and void for want of jurisdiction," he states, "have been allowed to stand." "The military commander is not obliged either to ask for legal advice or to follow it when he has asked for it and it has been given to him by responsible law officers of the Army." "Courts-martial should be required to accept the interpretation of the law by a responsible law officer."

Here again we have arrived at a simple question of fact. There is, to be sure, a question of legal theory involved. The records of courts-martial come to the Judge Advocate General to "revise"; and what legal effect this "revision" ought to have in theory is a mooted question of law and policy on which it is needless to enter here. Suffice it to say that a difference of view exists and that the judgment expressed by the Judge Advocate General in his appellate capacity is customarily phrased in terms of a recommendation to the commander in the field. But this question, after all, like many questions of fundamental principle, may become practically irrelevant in the light of the facts. The assertion made in Senator CHAMBERLAIN'S remarks is an assertion of fact, viz, that the commanding officer does not follow the legal advice which is given him and does not accept the rulings of the responsible law officer.

On the question of fact, let the facts themselves answer.

The cases fall necessarily into two groups. One class of cases coming to the Judge Advocate General for revision under United States Revised Statutes, section 1199, the thirty-eighth article of war, and General Order No. 7, January, 1918, require and receive no other revision or approval than that given by the Judge Advocate General. The other class of cases includes all sentences of death and of dismissal of officers, which, under the forty-eighth article of war, require confirmation by the President, as well as certain other cases in which error of law has been found, but the execution of the sentence has not been suspended by the reviewing authority. The former class of records go directly back from the Judge Advocate General to the reviewing authority in the field; the latter class of cases go from the Judge Advocate General through The Adjutant General and the Chief of Staff to the Secretary of War, and sometimes to the President. The question of fact is, therefore, in what proportion of cases does purely military authority fail to give effect to these revisory rulings of the Judge Advocate General?

The results in both classes of cases are shown in the following Table D:

TABLE D.—*Effect of action of Judge Advocate General's office, October, 1917, to September, 1918.*

Cases recommended for modification or disapproval on legal grounds.[1]	Number of cases.	Recommendations given effect.		Recommendations not given effect.	
		Number.	Per cent.	Number.	Per cent.
To reviewing authority	125	121	96.8	4	3.2
To War Department	141	135	95.7	6	4.3
Total	266	256	96.2	10	3.8

[1] Does not include a few cases in which the recommendation referred only to the place of confinement.

It thus appears that out of a total for the period covered of 266 cases recommended by the Judge Advocate General for disapproval on legal grounds, there were only 10 cases in which the Judge Advocate General's ruling was not followed; of these cases, 4 were not followed by the reviewing authority in the field, and 6 were not followed in the Secretary of War's Office.

In the light of these facts, I think I am justified in asserting that the records disclose no foundation for the assertion which Senator CHAMBERLAIN has been led to make. It is not a fact that the military commander or that any military authority proceeds to follow out the dictates of his own discretion regardless "of the interpretation of the law by a responsible law officer," nor that he fails to follow the legal advice "when he has asked for it and it has been given to him by the responsible law officers of the Army." Whatever may be the legal theory of the function now placed by statute in the Judge Advocate General as the law officer or appellate tribunal for military justice in the Army, that theory becomes virtually immaterial in the light of the facts during the period of the war. The state of things supposed by the Senator to exist, simply does not exist. Virtually the recommendations of the Judge Advocate General are given practical effect in the same manner as the trial courts in civil justice give effect to the mandate of the supreme court of the State.

6. MILITARY LAW AS DEPENDENT ON THE MILITARY COMMANDER'S DISCRETION.

But this brings me naturally to the last and most general assertion contained in the Senator's remarks, viz, that the general treatment of accused soldiers is not according to the strict limitations of law as embodied in the military penal code, but is made to depend upon the arbitrary discretion of the commanding officer in each case; or, to use the Senator's own language, "the records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice; we have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

As a concrete demonstration of the incorrectness of this assertion, the foregoing facts, taken directly from the records of the courts-martial, appealed to by the Senator, must suffice as a principal refutation. And yet the Senator's remarks call for more than the citation of concrete facts to the contrary. I will, therefore, take the opportunity to point out briefly what general difference does exist between military justice and civil justice.

The substance of my counter assertion is that although the theory of military justice does differ slightly from the theory of civil justice, yet in substance and in practice both of them, in our inherited Anglo-American system, are fundamentally identical, in that justice is founded upon and strictly limited by the requirements and safeguards of strict rules of law.

The only kernel of correctness in the abstract statement of Senator CHAMBERLAIN is that the theory of military justice is in its general purpose somewhat different from the theory of civilian criminal justice. The contrast of theory between the two is well set forth in a statement of Gen. William T. Sherman, made 30 years ago, in discussing our Articles of War:

"The object of the civil law," he says, "is to secure to every human being in a community the maximum of liberty, security, and happiness, consistent with the safety of all. The object of military law is to govern armies composed of strong men, so as to be capable of exercising the largest measure of force at the will of the Nation."

This definition of Gen. Sherman shows that the objects to be attained are different, in that military justice aims to make the man a better soldier or to eliminate him from the military organization if he can not be improved, while civilian justice looks to the ultimate protection of the community at large.

But, once this difference of theory and purpose is conceded, the two systems proceed in identical method, viz, by the application of strict

rules and regulations so drawn as to give equal and fair treatment to all men, and to protect them against mere arbitrary discretion on the one hand, and the inflexible rigor of automatic penalties on the other hand.

The former end is attained by a system of courts, procedure, and definitions of offenses, which contains the counterpart of civilian justice in virtually every respect; and which, as already noted, is superior to the civilian system in its ample provision for automatic appellate review in every case. These rules and regulations are fully set forth in the Manual for Courts-Martial; every officer is required to be familiar with this; and a new edition of 50,000 copies, revised to date, was just printed in October.

The other aim, to protect the offender from the harsh consequences of a rigid system of penalties, is secured by the method of indeterminate sentences, i. e., virtually a probationary sentence for every man whose offense is not so heinous as to require immediate separation from the Army. For seven years past military justice has possessed an indeterminate sentence and probation system which is in advance of that of any State of the Union; for it possesses virtually no minimum limit. How effective it is in mitigating and commuting the sentences originally imposed has been seen in the figures already set forth.

The system of military justice thus established is one of law and orderly procedure, not one of arbitrary discretion of the commanding officer. The proceedings are so conducted as to preserve for scrutiny of the superior authority every point of law which can possibly be raised for the protection of the accused. The accused is furnished a copy of the proceedings on request. This record goes up to the reviewing authority, and then to the Judge Advocate General. The Judge Advocate General's rulings on revision represent the application of all those legal principles which are required by law and regulations to be observed—definition of offenses, organization of the court, due procedure, sufficiency of proof, limitations of penalty, and so on. And the judgment of the Judge Advocate General, embodying those principles, is practically enforced and put into effect by the commanding officers with virtually the same effect as the decision of an appellate civilian court. The picture drawn of an arbitrary commanding officer contemptuously ignoring the limitations of law as embodied in the opinion of the Judge Advocate General is incorrect. In justice to officers of the Army who have in the stress of war acted as convening authorities it should be dismissed from the minds of the American people.

The foregoing figures and facts amply show this. But another and convincing way to understand it would be to read a few records from the Judge Advocate General's office. They bear all the familiar marks of a record in any civilian court of criminal appeal. Except for the subject being a military offense, the spirit permeating them is essentially not different from that of the records of a civilian court—the same raising of legal questions as to the allegations of the offense, the jurisdiction, the procedure, the evidence, and the judgment. The whole record is redolent of legalism. No one can read these records and not admit that the system of military justice is as full of legal limitations as any civilian system. Some might even infer that the technicalities of civilian criminal law are too prominent. But none could assert the contrary.

That military justice can not be improved in many details, could certainly not be maintained. Much might be said on this subject. But neither does any one maintain that civilian justice is perfect. The experience of the last year and a half, when carefully studied, will doubtless reveal numerous details in which improvement of the military code can be secured. It will first be necessary to compare divergent opinions, based on differences of local experience and of important policies. But the same is true of each one of our institutions, civil as well as military, that has passed through the crucible of war time. What we possess is a system of military justice founded on the Constitution, the statutes of Congress, and the President's regulations, administered in the trial courts by officers required to be familiar with it, and scrutinized in the appellate stages by professional lawyers whose sole object is to insure conformity in every substantial detail to those requirements of law.

E. H. CROWDER,
Judge Advocate General.

Hon. Jouett Shouse.

EXTENSION OF REMARKS
OF
HON. DUDLEY DOOLITTLE.
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 19, 1919.

Mr. DOOLITTLE. Mr. Speaker, seldom, if ever, has it been my privilege to know so confidently the qualifications of a man appointed to high office as in the case of our colleague from Kansas, Congressman JOUETT SHOUSE, who has accepted the position of Assistant Secretary of the Treasury, notwithstanding his primary rejection of the offer because of his personal wishes and private business interests. His duty to accept the place of public service was made plain to him, and as soon as he saw it he consented promptly, knowing full well the personal sacrifice. This decision of acceptance marks one of his outstanding traits—generosity. He is the most generous person I ever knew—so generous in fact that he keeps himself poor despite the handsome income from his extensive properties, including one of the finest and best equipped live-stock ranches and wheat farms in the West.

JOUETT SHOUSE is the ideal Kentucky gentleman and Kansas is proud to claim him as her distinguished citizen. His greatest pleasure seems to lie in hard work and in making his friends happy. No task is ever too large or the outlay too heavy for him to initiate and consummate. A man of this sort is sure to be deservedly popular, and JOUETT SHOUSE is the most popular man in Kansas. He was born a gentleman, therefore, his wonderful success in every line of undertaking has but augmented his personal attractions. His intellect has engaged the admiration of his fellow Members in Congress, and this keen mentality has made its impressions throughout the National Capital in every official, professional, and social circle.

The story of the pedigree and history of my friend and colleague I shall leave to more adept pens, in whose statements I concur fully and adopt them as my own. From the scores of press notices and editorials I have chosen these few comments as illustrative of his character, capacity, and personality. The facts prove the veracity of the glowing compliments and time will verify in complete detail the fondest predictions. President Wilson and Secretary Glass have shown rare judgment in thus picking from the Congress of the United States this gifted young statesman who is destined to rank as America's foremost financial genius.

The truth was never more beautifully spoken than in the following editorial from the Lexington (Ky.) Herald:

JOUETT SHOUSE.

Twenty-two years ago almost to the day a tall, graceful lad of courtly manner came into the old Herald office on Upper Street and asked for work. He seemed so young that it seemed unfitting that he should start to work, and after a brief conversation the unasked advice was given that instead of going to work he should go to college. Then he revealed that, though scarcely 17 years of age, he had already graduated from college and was ready to take up the work and prove himself fit to assume the burdens of a man.

A long time ago that was. The Herald was then struggling, battling with the waves, with the result in grave doubt whether it would be submerged or weather the storm that it had invoked by its opposition to free silver and corruption in politics. It was fortunate in the crew that manned its ship. W. C. P. Breckinridge was its editor, Samuel Gill Boyle its managing editor, and there was a group of most remarkable youths who served it as reporters. When JOUETT SHOUSE joined that group it seemed probable that one so young, so inexperienced, would find the standard set by them difficult for him to reach. The Herald can not refrain whenever the occasion arises from recalling and paying tribute to those boys, now men, who in the troublesome days of 1897 and 1898 showed the qualities that in after life have won for nearly every one of them marked distinction.

JOUETT SHOUSE quickly proved himself the peer of any one of that group in intellect, industry, and executive capacity. By 1898, within scarcely a year of his coming as a college lad, he had become city editor, then managing editor, then business manager, then editor and general manager of the Kentucky Farmer and Breeder. In every position he revealed rare qualities of executive and intellectual capacity. As secretary of the chamber of commerce, as secretary of the Blue Grass Fair, in whatever position chance or duty called him he showed remarkable capacity for intensive labor, coupled with a keen, incisive, and vigorous intellect that in the opinion of those who knew him best forecast a distinguished career.

That forecast is now being fulfilled. Fortunate beyond even his deserts in winning for a wife a gentlewoman, a college graduate, a woman of culture and intellect, he went with her to Kansas. In 1912, within the briefest period after choosing Kansas as his abiding place, he was elected to the State senate in a district that had been overwhelmingly Republican, the division between the Republican and Progressive Parties giving him the opportunity of which he availed himself. In the senate he won instant recognition and was made chairman of the most important committee on revenue and taxation. In 1914 he was nominated for Congress on the Democratic ticket. It seemed a hopeless contest. The district was overwhelmingly Republican, the normal Republican majority ranging from 12,000 to 20,000. But in spite of the seeming insurmountable Republican majority JOUETT SHOUSE, with the same tireless, persistent energy he had shown as a lad and demonstrated as a man in Lexington, so organized that district that before the election every voter had from him or his political managers a personal explanation of the reasons he should vote the Democratic ticket. And to the surprise of all who were not thoroughly conversant with the vigorous campaign he waged, he was elected.

His election attracted the attention of the leaders of the House of Representatives, some of whom were already his friends by reason of various ties. Upon his entrance into Congress he was given most important committee assignments, including an assignment to the Committee on Banking and Currency, which committee was charged with the duty of framing the bill to create the Federal reserve banking system.

In 1916 he was reelected in spite of the fact that he spoke and voted in favor of measures for preparedness and for war, which many of his fellow Members thought unpopular in the Middle West, predicting that his votes would insure his defeat. In the Sixty-fifth Congress he has been one of the foremost advocates of preparedness, one of the most earnest supporters of every policy looking toward the quick and decisive victory of this Nation.

In 1918 it seemed certain that he would be reelected, many Republicans publicly proclaiming themselves in favor of his reelection. But the drawing tight and clear of the line between Republicans and Democrats in the last days of the election led the Republicans of Kansas to return to their former party allegiance, with the result that Mr. SHOUSE was defeated, though he ran some 10,000 votes ahead of his ticket in his district.

Upon the resignation of Secretary McAdoo the President appointed as Secretary of the Treasury the Hon. Carter Glass, who had been chairman of the Committee on Banking and Currency, of which Mr. SHOUSE was a member. Among the very first official acts of Secretary Glass was the request to JOUETT SHOUSE to accept the position of Assistant Secretary of the Treasury. Mr. SHOUSE had already made definite business connections which promised large financial returns, but when this offer came, with the appeal to assume direct charge of the War Risk Bureau and the Internal Revenue Department, with their complicated details, he instantly surrendered the advantageous busi-

ness arrangements he had made and accepted the onerous and difficult task of straightening out the complicated and confused details of the War Risk Bureau and putting into effect the provisions of the tax laws that will come under the Internal Revenue Department. Yesterday he was confirmed by the Senate; to-day he assumes the duties of Assistant Secretary of the Treasury, which involves tasks so difficult that they might well daunt the bravest.

The Herald predicts that within as brief a period as it is possible for him to familiarize himself with the duties of this new position and to organize the War Risk Bureau, the complaints that have arisen because of delays and mistakes in that bureau will vanish; that within the year it will be a model for other departments of the Government. It would be too rash to predict that the bureau of the Treasury Department by which the income tax and the excess-profits tax will be collected will ever be popular. But the Herald does predict that that law will be administered in such a way that citizens can understand its provisions, and that it will not be necessary for a man with a taxable income of $50 to employ an expert at $100 to fill out his return.

Knowing JOUETT SHOUSE through 20 years of intimate and affectionate companionship, the Herald feels that the Treasury Department and the country are to be congratulated upon his selection for the position and his acceptance of the position of Assistant Secretary of the Treasury. It does not at present indulge in prophecy, but it does believe that if his health be spared there are far higher political honors awaiting him in the future than have come to him yet. In the honors that have come to and the honors that the Herald believes will come, thousands of Kentuckians take both pleasure and pride.

And, Mr. Speaker, here is the opinion of a great newspaper of the Middle West:

AN HONOR TO KANSAS.

[Editorial from the Kansas City Star.]

The appointment of JOUETT SHOUSE, of Kansas, to the position of Assistant Secretary of the Treasury is complimentary both to Mr. SHOUSE and to Kansas.

It is known by Mr. SHOUSE's friends in Kansas and elsewhere that he did not desire the place. He accepts it as a sacrifice to his business interests, and only the urgent argument of his friends that the Middle West should be represented in the department and the insistence of Secretary Glass that he should accept the place persuaded Mr. SHOUSE to give his consent. Added to these reasons is Mr. SHOUSE's fine sense of duty to public service.

It is unfortunate that for such responsible duties the Government pays salaries that are hardly sufficient for living expenses in Washington, and only rich men can afford to hold such positions. To a personal friend sometime ago, when the position was first offered to Mr. SHOUSE, he wrote that the necessity for his return to Kansas, to look after his business interests, and the fact that he would be compelled to devote all his time to the work in Washington if he accepted the place, made it almost impossible for him to take the position.

However, Kansas will be delighted to know that he finally has consented, and the State will feel honored by the fact that it has such a representative in the Treasury Department.

The high praise accorded Mr. SHOUSE by Dr. Burris Jenkins is recorded in the next editorial from the Kansas City Post:

JOUETT SHOUSE—HIS RECORD.

Congressman JOUETT SHOUSE, of Kinsley, Kans., has been selected First Assistant Secretary of the Treasury by the new Secretary, Mr. Glass. This strikes us as a most excellent appointment. JOUETT SHOUSE is a coming young man, fascinating, daring, able. He will be equal to the large responsibilities that he assumes. This part of the country is recognized and honored by the appointment.

We know all about JOUETT SHOUSE from the time of his birth in Midway, Ky., through his education in the public schools of Lexington, the blue-grass capital, to his graduation from Transylvania University (formerly Kentucky University), and his service on the newspapers of that city. We know about his happy childhood and youth, the girls he used to tease and play with and later on "escort." We know his effervescent spirit and never-failing good humor, his platform ability, and his skill with the pen. He would have served well as the hero in one of James Lane Allen's novels. Keep your eye on JOUETT SHOUSE.

They say that ministers' boys are the worst boys in town—which is a fallacy. They are more observed than others, perhaps, and who is there who stands too close inspection? Now, JOUETT SHOUSE is just another one of the long list of public men whose families knew the penury and the careful training of a minister's home. The Shouse family was a big one and a merry one, and big families are conducive to unselfishness. The attrition of a large household rubs off the rough corners and smooths up character. Certainly this son of a minister was polished and refined in the process.

It may seem odd that Horace Greeley's advice, "Go West, young man, and grow up with the country," should have led this young Kentuckian clean out into western Kansas to find a career; but the mystery of the situation is cleared up when you realize that it was the visit of a Kansas girl to the heart of the blue grass which turned young JOUETT's steps westward. Having married the banker's daughter and settled down in the short grass, JOUETT began to stir things. He dared to accept the Democratic nomination in a Republican district for State senator, and persuaded a majority, by his fascinating eloquence, to elect him. Once elected, the Republican presiding officer made him chairman of the ways and means committee. This emboldened young JOUETT to run for the National Congress on the Democratic ticket, and, to everybody's surprise, he was elected. He served two terms in the House of Representatives and is within a month of the close of his second term now, at the moment of his choice for the Treasury Department. He was elected the first time by a majority of 1,500 and the second time by a majority of 6,500. But, as he himself calmly expressed it, he was "caught in the late snowstorm of Republican votes." Fortunately he now has a higher position.

The Post is going to invite him to Kansas City at the first possible opportunity to make us a speech, so that we may extend him a glad hand. It is young men of this stamp who will save the day for the Democratic Party in time to come. JOUETT SHOUSE would make a good candidate for the United States Senate from Kansas. It would be interesting if Kansas should astonish the country as she has so often and so wisely done and should send him—a Democrat—to the Upper National House.

Now, permit me to insert a few excellent items from the Kansas press, Democratic and Republican, and all so true:

[From the Pratt (Kans.) Tribune.]

MAN FOR THE JOB—SELECTION OF MR. SHOUSE TO REORGANIZE WAR-CLAIMS BUREAU COMMENDED.

The appointment of Congressman SHOUSE to reorganize the War Claims Bureau in the Treasury Department is generally recommended by the Washington newspapers. The War Claims Bureau is a new department, and over 30,000 persons are employed in this branch of the service. Ever since its organization there has been considerable criticism of its management and efficiency. Immediately after the appointment of the Hon. Carter Glass as Secretary of the Treasury, he announced that there would be a sweeping reform and reorganization in this particular department of the Government. Mr. Glass was associated with Mr. SHOUSE on much important financial legislation and is thoroughly acquainted with his capacity for hard and exhaustive work. His selection of the seventh district Congressman for this important job is a distinct recognition of brilliant and meritorious achievements and a compliment to the seventh congressional district of Kansas.

It was Mr. SHOUSE's intention to retire from political life at the close of his term, March 4. He told the writer a few days before Christmas that he had no personal regrets over the outcome of the last fall's election and that no inducement would cause him to accept a Government position. He was anxious to get back to private life and was considering several tempting propositions of a business character. If he concludes to take this appointment, it will not be because he wants to continue in Washington but rather because he may conclude that the public interests and the opportunity to render a patriotic service demand his acceptance.

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[From the Medicine Lodge Index.]

The seventh district is just beginning to appreciate what it lost in failing to reelect Congressman JOUETT SHOUSE. His able service and his fine ability have called him to the second place in rank in the United States Treasury Department. During his four years in Congress Mr. SHOUSE never failed to reply to a letter received from a constituent and gave his personal attention to every request made of him by every person who asked for his service, no matter how unimportant it may have seemed. His invaluable labors in connection with financial legislation and his tireless and effective work in behalf of the wheat growers of the country have so far not been appreciated as fully as they should have been, but after the people of Kansas will no longer have the benefit of his ability, energy, and industry they will realize what they have lost. Mr. SHOUSE's defeat was a personal gain to him but it was a positive loss to the people of the entire West.

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[From the Pratt County Union.]

Congressman SHOUSE accepted the place as Assistant Secretary of the United States Treasury, and no better man could have been selected. His excellent work in Congress and his wide experience in public affairs especially fit him for this work. The seventh district is pleased with this appointment. Even Republicans who knew the good work that Mr. SHOUSE has done for the people are pleased. Carter Glass, Secretary of the Treasury, selected Mr. SHOUSE for the job of reorganizing the War Risk Insurance Bureau, and the people will have confidence that the work will be well done.

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[From the Osborne (Kans.) Farmer.]

JOUETT SHOUSE, Democratic Congressman down in the seventh district, has been recognized by the Federal Government. That's all right, too. JOUETT SHOUSE is a clean-cut American citizen, admired by all who know him, regardless of party politics. He has brains, fairness, and cleanliness and will render good service wherever he may be placed.

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[From the Garnett Review.]

The selection of Congressman JOUETT SHOUSE, of Kansas, as First Assistant Secretary of the Treasury, is a merited recognition of the ability of one of Kansas's brightest young men. Secretary Glass (successor to William G. McAdoo) evidently had his eye on this young Kansan.

[From the Pawnee Rock Herald.]

President Wilson's decision to appoint JOUETT SHOUSE, a Kansan, to the Assistant Secretaryship of Treasury, which Mr. SHOUSE finally decided to accept on January 29, Kansas Day, was entirely appropriate. It is a job that requires a lot of hard work in straightening out the soldier pension claims, and SHOUSE was picked as the man most able to get results.

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[From the Topeka Journal.]

SHOUSE TAKES JOB—KANSAS CONGRESSMAN TO BE ASSISTANT SECRETARY OF THE TREASURY.

Representative JOUETT SHOUSE, of Kansas, has decided to accept the appointment as Assistant Secretary of the Treasury, and as soon as he is confirmed Mr. SHOUSE will resign his seat in Congress from the seventh Kansas district. Mr. SHOUSE wanted neither the position, in spite of the high honor it was to be named, nor to leave Congress until his term was up, but Secretary of the Treasury Glass insisted that he should accept the appointment and take charge at once, so Mr. SHOUSE's resignation from the House will be forthcoming within 10 days.

"While I will have no vote for the remaining month I would have served, I shall continue to look after the interests of my State and my district in particular, just the same as if I were still a Member," Mr. SHOUSE said to-day.

As Assistant Secretary of the Treasury, Mr. SHOUSE will have under him two general divisions of the work, the management of the War Risk Insurance and the general oversight of the Revenue Divisions. The post is regarded as next in importance to that of the Secretary himself.

"I had all my plans made to return to Kansas and go into business," Mr. SHOUSE said to-day. "I hated to give them up, but my close friend, Secretary Glass, insisted that I should come to the Treasury and tackle this big job for him. He put it to me as a matter of service, and I accepted against my wishes."

Because of the short time elapsing until Congress adjourns, probably less than a month, it is not believed there will be a special election called to choose a successor to Mr. SHOUSE.

[From the Kingman Journal.]

CONGRESSMAN SHOUSE TO TREASURY PLACE—RESIGNS SEAT TO BECOME ASSISTANT SECRETARY OF THE FEDERAL TREASURY—HIGHEST APPOINTIVE POSITION TO BE HELD BY ANY KANSAN IN RECENT YEARS—NO ELECTION OF SUCCESSOR PLANNED.

Congressman JOUETT SHOUSE has been appointed Assistant Secretary of the Treasury, and will assume his duties at once. The interests of his constituents in the seventh district, however, will be looked after by himself just as before, to the end of his term as Representative in March, the end of the term being too near at hand to warrant the calling of a special election to fill the vacancy.

Mr. SHOUSE thus again becomes intimately associated with Carter Glass, now Secretary, who, as Congressman, was head of the House Committee on Banking and Currency. The late Congressman Neeley distinguished himself on that committee at the time of the financial probe in New York, and Congressman SHOUSE, who succeeded him, was closely associated with Mr. Glass in framing the vast financial measures of the last few years that have practically put the country beyond any chance of a panic and made the Treasury and banking system able to stand the tremendous strain of war without a quiver. The two have been intimate friends and have done a lot of work together, and Secretary Glass doubtless wishes to retain a valuable coworker in Washington while the Treasury Department is on the job of readjusting the country's finances to peace-time conditions.

Mr. SHOUSE thus comes into the highest departmental position held by any Kansan in recent years. He is next to the head of the Treasury.

And in the last one I have selected I recur to my friend's native State:

[From the Louisville (Ky.) Courier-Journal.]

JOUETT SHOUSE WILL BE AID TO TREASURY CHIEF—FORMER KENTUCKIAN IS NOMINATED AS ASSISTANT TO CARTER GLASS—IN CHARGE OF TWO BUREAUS.

A retiring Member of the House who was a former resident of Kentucky was honored when the President sent to the Senate to-day the nomination of Representative JOUETT SHOUSE, of Kinsley, Kans., to be Assistant Secretary of the Treasury. The nomination of Mr. SHOUSE, who was born and reared in Midway, Woodford County, and was engaged in newspaper work and other enterprises at Lexington from 1898 until 1911, is expected to be confirmed in a few days.

Mr. SHOUSE will succeed Thomas B. Love, who recently resigned as Assistant Secretary of the Treasury. He will have charge of the Bureaus of Internal Revenue and the War Risk Insurance, the latter particularly being now in a chaotic condition. The position pays a salary of $5,000 a year.

Mr. SHOUSE, who is 39 years old, was educated at the Mexico (Mo.) High School and at the University of Missouri. He is a member of the Phi Delta Theta fraternity and is a tennis expert. Following his graduation he returned to his native State and spent 13 years in business at Lexington. Eight years ago Mr. SHOUSE moved to Kansas, where he engaged in farming and stock raising. On October 18, 1911, he married Miss Marion Edwards, who was graduated from Wellesley College in 1907.

Mr. SHOUSE served in the Kansas State Legislature in 1913 and 1915. He was elected to represent the seventh Kansas district—a rock-ribbed Republican stronghold—in the Sixty-fourth and Sixty-fifth Congresses. He was defeated for reelection to Congress last November.

During his service in the House Mr. Shouse has done much in assisting other Democratic leaders to carry out the administration's policies. His service on the Banking and Currency Committee, of which Secretary of the Treasury Carter Glass was formerly chairman, has been of such merit that Mr. Glass without hesitation selected Representative SHOUSE for the important berth in the Treasury Department.

Mr. SHOUSE, one of the most popular Members of the House, spent a busy day receiving the congratulations of his friends on Capitol Hill.

My own friendship for JOUETT SHOUSE has sometimes made me wonder if I were unduly prejudiced in my favor of him, but I know that when this admiration is shared so universally that true worth is behind it all.

EXTENSION OF REMARKS

OF

HON. FRED A. BRITTEN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BRITTEN. Mr. Speaker, the report of the special committee of the House of Representatives selected to investigate the National Security League, shows that the league was conceived in London, nursed to strength and power in New York by foreign interests, and later used in the elections by the same interests, and in this connection I desire to present to the House my extended statement before the committee to further and more completely show the hypocrisy practiced by the officers of the league under that much-abused word, "Loyalty."

Out of 435 Members of the House of Representatives, the league's chart gave credit for full patriotism to only 47 Members. Out of the 47, 45 represented congressional districts along the Atlantic seaboard, where the income tax gathers the largest revenue.

As a matter of fact, the league cared nothing whatever for a candidate's party affiliations. What chiefly concerned them was how his attitude would affect certain interests that would be the subject of legislation by Congress during the reconstruction period.

The report of the committee says, "Upon entering the league's office in New York one could see only Mr. West, the lobbyist; Mr. Orth, the sisal importer; and Mr. Harvey, the newspaper reporter without a job, but if the curtain were only pulled back, in addition to the interests heretofore enumerated the hand of Rockefeller, of Vanderbilt, of Morgan, of Remington, of DuPont, and of Guggenheim would be seen, suggesting steel, oil, money bags, Russian bonds, rifles, powder, and railroads."

The committee further finds that "the greatest injustice has been done to many loyal, patriotic men who have given the Nation the benefit of commanding ability, unquestioned courage, and unalloyed patriotism, by men seeking partisan ends and undertaking to hide their self-interest beneath the cloak of public service and national good. The National Security League and like organizations in their political activites constitute a serious menace to representative Government."

The report further says: "Men in public life are given by them to understand that they must be subservient to the demands of such institutions, and upon their failure to do so they will be held up to public scorn and humiliation by false accusations.

"The fight made by the National Security League upon the loyalty of men of the highest patriotism was so glaringly unjust and so patently false that it failed of its purpose, but the failure was due to an error of judgment on the part of the league and not because of the lack of vicious purpose.

"In the judgment of your committee the National Security League has violated the corrupt-practices act, the penalty for which is a fine of not more than $1,000, or imprisonment not longer than one year, or both."

The report of your special committee indicates conclusively that the league was more interested in the candidates' prospective attitude on matters affecting the reconstruction period after the war than it was in his true war record.

The committee specifically finds that the league was largely a political organization, and that it had violated the provisions of the national laws as such.

BEFORE THE HOUSE COMMITTEE.

"Mr. BRITTEN. Until the last campaign I had always felt that the National Security League, the Navy League, the American Defense Society, and other like organizations were strongly in favor of my retention in Congress because of my constant activity in the House and in committee for such Army and Navy legislation as would protect our country against attack or aggression from any foreign foe. In fact, I was an honorary member of the American Defense Society in New York because of that activity, and I had no reason to believe that the National Security League was not actuated in its propaganda for measures of national safety by the very highest patriotic motives.

"It was not until the last election that the Security League was forced out into the open and its true colors, that of a great political, profiteering organization operated for the selfish interests of those more or less directly in control of its machinations, were shown to a disgusted public.

"It was but natural that my vote against war with Germany would be displeasing to those having British blood in their veins and whose predominant desire at that time was to help England. It is also natural that those millionaires controlling great steel and manufacturing plants having millions of dollars tied up in war contracts would be equally displeased with a vote which would interfere with their further profiteering at the expense of American lives and property.

"It has been shown that these interests combined contributed $619,165.28 to the National Security League during the past four years and that the league sent broadcast more than 2,000,000 pieces of literature since January 1, 1918.

"With the searchlight turned upon the league, it is conclusively shown that officials active in its management are not those whose names appear on the league's stationery, but, on the contrary, a self-seeking, unreliable set of men have been using the membership, dues, and contributions of the league for profiteering, high salaries, and purely selfish ends.

"The principal opposition to my election came from members of the Chicago chapter of the Security League, who were either born in England or who were connected with enormous enterprises that profited by the war, and I am quite satisfied that their income-tax schedules will show that they made considerably more money during the war year than ever before in the history of their lives.

"Among those who testified before the congressional committee investigating the league was one of my most energetic assailants, Samuel Insull, head of a number of public-utility

corporations in Chicago, a Britisher, recently referred to in one of the London daily papers as the most prominent Englishman in America, and who up to within the last year ate all of his Christmas dinners in London—sent his turkeys and sweetmeats over for his holiday feast with relatives and friends in London.

"I merely recite this fact to show where his heartstrings are and to indicate why he would oppose anything not in the interest of his fatherland. As I intend to make every effort toward a larger and more efficient Navy, for commercial control of the high seas, for American financial domination and other measures equally offensive to Mr. Insull, I realize that I will merit a continuance of his enmity.

"It is perfectly natural that Insull would oppose my reelection, for his heartstrings have ever been in England, and he cared little what tremendous sacrifices might be made by American youth or finances just so long as his dear old England was benefited. His constant aim was to help England, but I notice that his son, who was plenty old enough and big enough to go into our military service, was kept safely at home, while Americans of unquestioned loyalty and patriotism allowed their boys to go across with the colors. Insull was 100 per cent British, while my first thought was for America.

"Mr. REAVIS. Mr. Britten, if I may interrupt you—you say that it is perfectly natural that this gentleman should be against you. Do you mean by that that his opposition to you would be inspired by his loyalty to England as distinguished from his loyalty to America?

"Mr. BRITTEN. Positively so. He told me personally that he could not expect his American-born boy to feel toward England as he does, or to feel toward me as he himself did. That was prior to the election, when he told me that he was going to do everything in his power to defeat me—and he did.

"I am glad that the special congressional committee brought a lot of these skyrocket patriots out into the open, for it substantiates my campaign contention that a small group of rich men were doing everything in their power to defeat me for reelection to Congress.

"When asked by Congressman BROWNE if he had taken any part in the campaign of 1918, Mr. Insull said, "Yes; I did my level best to prevent the nomination and to prevent the choice at the primary of Mr. BRITTEN," and he said further that he had taken no active part in any other congressional campaign, which indicated that this small group of lip patriots were interested in but one congressional district.

"Insull testified before the committee that he had contributed money to Fletcher Dobyns, the Republican candidate, also to James Poage, the Democratic candidate for Congress in my district, but neither of the gentlemen admit it in their sworn statements to the Clerk of the House, and I hardly blame them, for no one wants to be associated publicly with Sam Insull. He has been repeatedly called a burglar, a robber, a thief, and a gold-plated anarchist in the public press, but up to the present time he has not made his accusers prove it in court.

"Mr. REAVIS. Aside from that you think he is all right?

"Mr. BRITTEN. Aside from that he may be all right.

"In Dobyns's list of contributors, besides an amount of $1,000 from William Wrigley, he shows such reputable names as Alexander H. Revell, Robert W. Hunt, Clifford Arrick, Howard Elting, Frank Logan, W. J. Chalmers, Walter Schuttler, A. W. Armour, Eames McVeagh, and Tiffany Blake, while the Poage statement gives prominence to such excellent citizens as Le Verne Noyes, Benj. Rosenthal, Oscar F. Mayer, and Thomas H. Cannon. No one could reasonably blame either of my opponents for "forgetting" contributions from such men as Insull and Edgar A. Bancroft.

"The testimony before the committee shows that the political activity of the league just prior to the recent election brought in considerable money from men representing corporations who had benefited enormously by the war. It is very simple for men of the Insull type to make large contributions in various directions, so long as they are giving away money belonging to thousands of stockholders, some of them widows and orphans, but I notice that their personal contributions are usually niggardly. I observe that the Edison Co. gave $1,000, the Peoples Gas Co., $1,000; the Consumers Co., $500; the Chicago Electric Railways, $500; the Chicago Elevated Railway, $4,500, etc., to the Chicago branch of the Security League. It would appear that the gentlemen having control of the finances of these various corporations are quite liberal with other peoples' money.

"Among the others who testified before the committee was Edgar A. Bancroft, a corporation cootie, who has made more money during the last year than he ever did before in his life.

"Mr. REAVIS. What is his occupation?

"Mr. BRITTEN. He calls himself a lawyer. Represents the Harvester Trust and several other big corporations. Directly after the sinking of the Lusitania, and long after Belgian neutrality had been violated, and the destruction of life and property by German submarines had accumulated to an appalling degree, Bancroft wrote a letter to the editor of the Chicago Tribune on June 3, 1915, in which he said, and I quote his language:

> There is no reason for a war. No foreign nation has intentionally given us a cause for war. The violations of the rights of American citizens of which our Government has complained, were resulting incidents of a plan of campaign against the enemy in the present war. They were not inflicted with hostile intent toward us. * * * But that furnishes no warrant for such a further destruction of innocent lives, American and foreign, as would result from a war. The torpedoing of the *Lusitania* was not an intentional act of hostility toward our Government or its citizens, but was done to destroy the property and injure the commerce of an enemy. Germany's program of a war zone controlled by submarines has developed a difference of opinion as to what international laws permit, but such questions find their proper forum not upon the battle field but in an international court of arbitration. If our arbitration treaties mean anything, they mean that an honest difference of opinion between our Government and a foreign nation is not a cause for war, even with a nation with which we have no arbitration treaties.

"Mr. REAVIS. Now, did you publish that letter?

"Mr. BRITTEN. No; he did. It was published in the Chicago Tribune under the caption, "The Voice of the People," on June 5, 1915. Now, just listen to this:

"During my campaign this acrobatic patriot attacked me for not having voted for war, and among other things said that he could not understand why I failed to have been moved by the German atrocities and, to further substantiate his now warlike spirit, I notice on page 1552 of the printed Hearings before the committee that this loyal contortionist said:

> "When we did go into the war I breathed freely for the first time after several months, because it seemed to me we were losing our soul by standing by in the face of such things as Belgium and France had suffered.

"And it must be very evident from these contradictory views that Bancroft was called on the carpet by his corporation bosses and made to do a somersault from his 'peace at any price attitude' to that of 'war at any cost.'

"Mr. REAVIS. You know that to be a fact?

"Mr. BRITTEN. No, I do not; but his complete acrobatics would indicate that something of that character had transpired.

"Mr. REAVIS. Was there a change of position on the part of Bancroft, as announced in the Chicago Tribune, before the declaration of war, or did the change come after the declaration of war?

"Mr. BRITTEN. Well, of course, it is impossible for me to tell that. I do know, however, that a complete change did occur, and either his corporation bosses cracked the whip or the light-headed Bancroft forgot all about his letter to the Tribune, which was so contrary to the desires of his masters.

"Mr. REAVIS. Now, as I recall his testimony, yes, he bottomed his opposition to you in large measure on certain legislation proposed by you to the effect that the sons of German parents should not be conscripted. What about that, Mr. BRITTEN?

"Mr. BRITTEN. I don't know just what he based his opposition on. I did introduce a bill in Congress exempting those having warm blood ties in the enemy country—Germany, Austria, etc.—from combatant service abroad, upon their own request; not exempting them from the draft, not exempting them from any rules or regulations of the War Department, but exempting them on their own request from combatant service, which was in complete accord with War Department regulations applying to the American Red Cross.

"Mr. REAVIS. Well, Mr. BRITTEN, in view of subsequent events, what is your present opinion of that legislation?

"Mr. BRITTEN. As soon as my bill was introduced, Mr. REAVIS, I communicated with the Secretary of War in the premises and asked him for his support of the measure, because its theory had been advanced by many of our expert military men—that unless a man's heart was in his duty he would make a poor soldier. One of our most able fighting generals—not a swivel-chair general but a fighting general—told me that my bill was an excellent one and should be passed. His version of it was that if one weak-hearted American was backed up against the wall with a couple of stout-hearted Yankees on either side of him, and they were face to face with an equal number of big Germans or Austrians, that that one weak link in the chain of three would cause the destruction of all of our men, and he said that he would not send that character of man abroad. The War Department refused to send those having warm blood ties in the enemy country across in Red Cross work for the very reason that their sentiment might influence the value of their work.

"In the course of time the Secretary of War replied that he did not think my bill was a good one, and I therefore let the matter drop.

"Mr. REAVIS. That is, you took the judgment of those in authority?

"Mr. BRITTEN. Very naturally. I was for the war wholeheartedly after the declaration had been passed by the House. Congress had determined that war should prevail, and I was for it; and, of course, I was not going to embarrass the administration of the War Department or the Secretary of War with a bill which they had determined would not prove militarily desirable.

"Mr. SAUNDERS. Mr. BRITTEN, did you go before that committee there that was appointed for the purpose of taking up their records with Members of Congress?

"Mr. BRITTEN. Yes, I did, I am sorry to say, for I had expected to meet with a group of gentlemen who were following sincere, patriotic motives in the interest of all good Americans; but, on the contrary, I came into the presence of some seven or eight men, a great majority of whom lived outside of my district, and whose only ambitions were to make political capital for my opponents.

"Among those present were Emil C. Wetten, a well known publicity seeker, who acted as chairman of the meeting, and who subsequently appeared before the congressional committee investigating the league, when he said that there were a large number of disloyal citizens in the district I have the honor to represent in Congress.

"Either Mr. Wetten is a fool, a liar, or an undesirable citizen, and as I have known him for many years, my guess is that he is simply a conceited fool, made reckless by the prominence given to his association with the Security League.

"Ordinarily I would not dignify his opinion with even scant recognition, but when newspapers having wide circulation print such an utterance in their valuable columns, it becomes necessary for some one to refute a deliberate misstatement.

"It is not long since Mr. Hinton G. Clabaugh, representing the Department of Justice in the Central States, told me personally that the Ninth (north side) district was exceptional in its order and adherence to the many laws and regulations enacted during the war, which is in complete contradiction to the baseless statement of the brainless Wetten.

"If Mr. Wetten knew there were many disloyal citizens in the district I am proud to represent in Congress, he should, in the interest of the public safety, have reported them to the Department of Justice for proper apprehension. His failure to do so makes him as undesirable to his unsuspecting neighbor as the most disloyal citizens in or out of jail.

"Emil C. Wetten is known by the legal profession as a political "fixer" rather than as a real lawyer, and those who know him best simply smile when his name is mentioned in connection with law. As a counterfeit, he is 100 per cent proficient, and as a legitimate lawyer, a 100 per cent failure.

"You probably will remember that it was this same Wetten whose childish, flippant ignorance of important existing conditions was so evident that one wonders how he ever gets home alone after dark. His answers to simple questions caused one of the members of the congressional investigating committee to remark:

"Now, Mr. Wetten, without any desire to be offensive, I don't think I have seen more manifest, complete misinformation in my life than your answer.

"Another of those present was Mr. James A. Patton, the millionaire gambler in foodstuffs, of Evanston, Ill.—outside of my district—of whom Congressman KING said:

"Mr. Patten was the man who, just prior to the declaration of war, bought up millions and millions of bushels of wheat for the National Biscuit Co., and had it stored away out of the reach of the common masses.

"Another of those present was William B. Austin, of whose former loan-shark proclivities I will have something to say at a more opportune time.

"Another present was Peter Lambrose, of Rogers Park—outside of my district—a member of the executive committee, who said:

"The only thing that was wrong about Mr. BRITTEN was the fact that he circulated his speech in the month of June to harm the noble cause of the war.

"What a weak ground upon which to base the terrible stigma of disloyalty upon an American whose father fought and suffered in defense of the Union in 1864.

"Another present was Harry H. Merrick, a former stockyards employee, who lives in Hyde Park (also out of my district), who presented himself to the congressional committee as a "reformed lawyer." If he has reformed, he must have been awful before he took the cure. I am sorry that he did not go a little further and tell just what he had reformed from. A Chicago paper on February 1, of this year, referred to Merrick as follows:

"On every possible occasion Merrick impertinently attempts to pose as the official representative of the city. He makes speeches which convey that impression, and through the press issues proclamations which * * * are targets for the ridicule of the few who waste their time in reading them.

"Merrick is a cadaverous-looking individual with large goo-goo eyes and takes himself very seriously.

"Another present was Joseph W. Moses, whom I do not know and who also lives out of my district. There may have been one other whom I do not now recall.

"Each of these men had supplied himself with a Dobyns campaign booklet and were not at all interested in my congressional record of six years, but desired only to harp upon a few votes played up by Dobyns and upon which there could reasonably be a difference of opinion. By so doing they intended making political capital for my opponent. The subsequent testimony of some of these gentlemen before the congressional committee shows that of all the Members of Congress who voted against war, my name was the only one mentioned in any letter or document sent out by the league.

"The mockery and deception practiced during the war under the guise of loyalty by this small group of rich men in Chicago should forever brand them as unworthy of any public confidence or trust.

"Officers of the league paraded themselves in the interest of loyalty and patriotism and in many instances did not even know the Member of Congress in whose district they themselves lived, and yet they attempted to dictate a congressional policy for the people of my district.

"Doesn't it seem strange that these rich men, many of whom hardly knew the name of their own Member of Congress, should come from all parts of the city into the ninth district in order to educate my people how to vote?

"Not one of the men whose names I have mentioned had a son in the military service during the war, and just why the ninth district should be inflicted with this gratuitous insult from them is something my district could not comprehend, and notwithstanding their supposed influence and money, backed by the then misunderstood Security League, which has since been shown by the congressional committee to have been dominated by hypocrisy and self-advertisement, at the expense of an unsuspecting public, their candidate, the noisy Dobyns, was defeated by almost 3 to 1.

"Mr. REAVIS. What faction do you belong to?

"Mr. BRITTEN. Mr. REAVIS, I think I was assisted by a large majority of the workers of the three Republican factions in Chicago—the Brundage faction, the Thompson faction, and the Deneen faction.

"Mr. REAVIS. The league and its officers in their testimony in Chicago stated that they were inspired solely in their activities to get Congressmen from the city of Chicago and the State of Illinois who were whole-heartedly for the United States in this war, and yet when we called upon them to give their activities in that regard we found out that they had not called a single Democrat before their committee.

"Mr. BRITTEN. Well, just at that point, if you please, if they were whole-heartedly for the election of Congressmen who would stand back of the President, why didn't they show some endeavor for Poage, who was a very estimable gentleman and who would have made a valuable Member in the House of Representatives? The truth of the matter is that when their pet, the shouting Dobyns, was defeated they had no further interest in the selection of loyal Congressmen and they allowed the entire matter to drop. More complete hypocrisy was never practiced.

"Mr. REAVIS. The National Security League, or the executive committee of the National Security League, was so intensely opposed to you that before the primary they sent letters not only to your district, but through the whole State, calling in question your record as a loyal Congressman and appealing to the membership and the friends of the membership to do everything lawful to defeat you. As soon as you were nominated their activities ceased. Now, I want you to state, understanding the situation much better than I do, whether this deduction is justified; that their opposition to you was inspired to nominate your opponent and not to keep you out of Congress, because when they failed in that desire they did nothing to defeat you for Congress. Do you think that that deduction would be justified?

"Mr. BRITTEN. That is perfectly true.

"Mr. REAVIS. Let me ask your opinion of this: If their opposition to you was inspired by the patriotic desire to keep you from going to Congress, why did not they seek to defeat you in the election rather than confine their activities to the nomination?

"Mr. BRITTEN. Well, now you get back again to that little rich clique on Lake Shore Drive, who were for Dobyns, and when they failed to nominate him their opposition to me as a

general proposition ceased. They should have fought me harder in the general election than in the primary. They had plenty of money and they had a tremendous organization.

"Mr. REAVIS. Then your idea of that campaign, based upon your intimate acquaintance with it and the activities of the league, was that the Chicago branch of the league wanted to nominate Dobyns for personal reasons rather than to defeat you for patriotic reasons?

"Mr. BRITTEN. There is no question about it, and Dobyns was to have been their rubber stamp in Congress.

"Mr. REAVIS. Now, Mr. BRITTEN, everybody manifestly has more or less of an affectionate regard for his constituents. Mr. Wetten, who claims to have lived in Chicago a great many years, and has been very active in politics, and who modestly made the statement that he was the one man in the district that could beat you, or that you thought he was the one man in the district that could beat you—he made the statement that there was a great deal of disloyalty in your district. Do you want to put anything in the record with reference to that?

"Mr. BRITTEN. Yes; as to Wetten being the one man in my district, will say that he is a habitual candidate, always allowing his name to be mentioned in connection with any prospective office, but never seeking election. In this regard he differs from the silly Dobyns, who also is a habitual candidate, and who has been humiliatingly defeated three or four times, but who continues to run either for the publicity or for the gain he can make through financial contributions. Wetten could not be elected dog catcher in a dogless neighborhood, and no one knows it better than he. I am sincerely sorry that Wetten's hair-brained assertion about the disloyalty in my district was given such wide publicity. He has hurt Chicago considerably by it.

"Mr. REAVIS. What is your observation, based on your personal experience in that district?

"Mr. BRITTEN. I had been a member of the Chicago city council from that north-side district for four years prior to coming to Congress, and I am sure that the police records will show that there are fewer arrests in that neighborhood than in any other neighborhood in Chicago. The fire marshal once told me that as far as fires in that neighborhood were concerned he might just as well have no engine house at all. The sterling type of citizen that make up that community is of the peace-loving, home-loving type who owns his little home and who makes the finest citizen on earth.

"It was said of the old twenty-third ward that it did not contain a pauper nor a millionaire, a very unusual big-city condition indeed. It was made up of the nationalities of the world, with many Germans, Austrians, Swedes, Italians, and Irish. In that north-side community those people would own their little cottages on a 25-foot lot, and after years of saving and thrift they would move that cottage onto the back of the lot and in its place erect a little two or three flat building, but you may be assured that they themselves would continue to live in the little cottage on the back of the lot until their building loan had been paid up, when they might move to the front house in their old age. They are that type of citizens who would remain home all day on the Fourth of July in order to protect their property and the surrounding property against fire. The policeman in a neighborhood like that knows practically everybody on his beat, and they call each other by their first names. Arrests are most unusual. Only a publicity-seeking fool will say that there are a great many disloyal American citizens in that community.

"Mr. REAVIS. Then you think that the citizenship in that district will compare favorably, from the standpoint of loyalty, with any other district in the city of Chicago?

"Mr. BRITTEN. With any other district in America, and its personnel is largely superior to Mr. Wetten himself.

"Mr. BROWNE. You have seen this chart purporting to give the records of Congressmen in the Sixty-fourth and Sixty-fifth Congresses regarding the eight acid tests?

"Mr. BRITTEN. Yes; it was circulated in my district. I am credited with having voted wrong three times out of the eight acid-test votes selected by the Security League, and yet Congressman FOSTER of Illinois was credited with having voted wrong five times, while Congressmen RAINEY and MCKENZIE were marked wrong four times out of eight, and Congressman RODENBERG six times out of eight, yet none of these gentlemen were requested to come before the league nor were they opposed for reelection.

"Mr. BROWNE. Did Mr. Wetten speak in your district?

"Mr. BRITTEN. Yes; he did; several times.

"Mr. BROWNE. They stated—I am interrogating you on that question because Mr. Wetten stated that he made no speeches at all in your district.

"Mr. REAVIS. He made that statement positively?

"Mr. BRITTEN. He did. He is going to prove, evidently, what I said about him a few moments ago.

"Mr. REAVIS. My recollection of Mr. Wetten's testimony was that he did not appear in your district at all.

"Mr. BRITTEN. He was questioned from the floor at one meeting that I know of.

"Mr. REAVIS. Well, he stated that he had been making speeches at every political campaign for a great many years, and left the impression with the committee that he was in such demand—he may have forgotten that he was in your district—a man making as many speeches as he indicated he had been.

"Mr. BRITTEN. The truth of the matter about Wetten is that he always has been a publicity seeker and a limelight artist, with no brains, but a big mouth, who caters entirely to the corporations. He has been a candidate for office for many years, but never runs. You have referred to Wetten as a lawyer; you will pardon me, he is not a lawyer, but is merely admitted to the bar. He comes from that class of lawyers known as political fixers, and will charge his clients a good round fee for having cared for some matter very easily arranged through political influence."

Mr. Speaker, when Hon. WILLIAM E. MASON was before the congressional committee he was asked the following questions:

"Mr. REAVIS. Can you see anything to distinguish the National Security League in Chicago from a regular political organization within the party?

"Mr. MASON. I can not; I never have.

* * * * * * *

"Mr. REAVIS. But, as I understood you, a reliable man on whose word and in whose integrity you put the utmost reliance, told you that any question—told you, in effect, that any question the National Security League might have regarding your loyalty they were willing to abate if you would support the street-car franchise.

"Mr. MASON. Yes, sir; and that a certain newspaper——

"Mr. REAVIS (interposing). And that this organization, inspired by the desire to serve the country in the time of its need and to elect patriotic Congressmen, were willing to subvert the very purpose of its organization itself if the street-car franchise could be put across?

"Mr. MASON. Yes, sir.

"Mr. REAVIS. So that while their avowed purpose was a patriotic purpose, the real purpose and the one in which they had the most interest was the street-car proposition?

"Mr. MASON. That, I think, was their purpose.

"Mr. REAVIS. That is logical, isn't it?"

* * * * * * *

Mr. Speaker, when Hon. ROSCOE C. MCCULLOUCH, of Ohio, was before the congressional committee he branded the National Security League as a "tool of Wall Street and the interests" and urged "punishment commensurate with the great wrong they had done."

The Late Senator Gallinger.

MEMORIAL ADDRESS
OF
HON. JOSEPH G. CANNON,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Sunday, January 19, 1919.

The House had under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JACOB H. GALLINGER, late a Senator of the United States from the State of New Hampshire.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased."

Mr. CANNON. Mr. Speaker, two men have crossed over in the last few months who were truly great men, one from Illinois, JOHN A. STERLING, the other from New Hampshire, Senator JACOB H. GALLINGER, one a lawyer, the other a physician by profession, both of them school-teachers in early life, one well grounded in the legal profession, the other well grounded in the medical profession, who later on in life were selected on account of their ability and high character for services in the Congress. Senator GALLINGER served in this House two terms, and then he served, I believe, continuously in the Senate of the United States until his death. Each one served his constituency

well. They could not have served their respective constituencies well without serving all the people of the United States well. A Senator represents one State and a Representative serves one district, but when we come down to it, whether it be in the Senate or in the House, whether a man comes from far-away California, or way down East in Maine, or in New Hampshire, or from the central portion of the country, he votes for legislation that spreads over the whole country, and we are just as much interested from a practical standpoint in every one of the 435 districts, each of which sends a Representative to the House, or to any of the 96 Senators, as we are in those whom we select from our respective States and districts. I believe that through all these years that I have served in the House that on the average in the House and in the Senate the people who were chosen have represented the public sentiment of the respective States and districts first, and second, and on all fours with the public sentiment, have represented the whole people.

And, everything considered, I believe the average representation in both House and Senate measures the average sentiment and intelligence of those who send them here. Sometimes there is complaint that there are too many lawyers in Congress. Well, there are a good many lawyers in Congress, but they are selected not because they are lawyers but because they have to do with voting for legislation. Some people say there are too many business men in Congress; that there are too many farmers, and so on. Now, the whole object of our Government is to enable us to live under laws which under our fixed law, the Constitution, will protect the weak and the strong. God forbid that it should ever be to the contrary. And it never will be to the contrary while our form of government lasts.

There are certain great characters in war and in peace—Presidents, Members of Congress, and the coordinate branch of the Government, the judiciary, that stand out in history and will continue to stand out in history. But, after all, it is the one hundred millions of people, plus now, that select the men who are to legislate and who are to fill the Executive chair and, in the end, under the Constitution hold the judiciary positions. And those places will not be more worthily filled than by the majority sentiment, the common sentiment, of the people who give men their commission. George Washington, the Father of his Country; Alexander Hamilton; Thomas Jefferson; Patrick Henry; the Adamses, all dwell in history, but we would not have gotten far if it had not been for the Continental Army. We would not have had a Constitution if it had not been for the wise men who framed it and the people who ratified it. After all is said and done, men whose names are forgotten, great masses of men, the average population of the country, selected those great characters who performed the function that was cast upon them, and they did it well. I fancy if you would call the roll of the Membership of the House of Representatives you would find that nine-tenths of them, under the hand of necessity early in life, learned to make their way by labor, physical and mental. I know the Illinois delegation pretty well. They are descendants, in the main, of pioneers—a great folk. From one ocean to the other we are still pioneering; we are crossing the continent; we are settling up the area of the United States in order that we can continue to take care of the great increase in population for a thousand years and live, if we are forced to do so, within ourselves. We have not been forced to do so, but we could.

Now, these two men, JOHN STERLING, school teacher, lawyer, and legislator on the one hand, and Senator GALLINGER, having pretty much the same kind of training that STERLING had, were both strong factors. While Senator GALLINGER was not a lawyer, practically he was quite six while other men were half a dozen in framing legislation. They did not lack industry. The two men in many respects were alike. They or any of us, substantially, will not live as Webster will live in history or as Jefferson will live in history, but Webster and Jefferson and all of those people could not have succeeded so well if it had not been for their forbears that stood for them and by them. And so in speaking of the whole people we must consider them as being competent for self-government. There never was a man bright enough and strong enough to develop another's legs by walking for him, and there never will be. A child when he learns to walk can be instructed and aided, but he must do his own walking and his own growing.

JOHN STERLING was my personal and political friend and I was his. I recollect the night before the election in the campaign of two years ago, when I closed it at Bloomington, in his district, at which there was a wonderful demonstration. That was the night before the election. They had been talking that there was a hot contest that promised to defeat Mr. STERLING. But he came out of it with a greatly increased majority not by virtue of what I said but by virtue of his ability, character, and service.

We only know about to-day. What of the future? I believe there is a future. I believe that each man, each human entity, finds its place amongst those like unto it. That is my faith. I am not a believer in people being cast in a fiery furnace that is a thousand times hotter than the one in which Shadrach, Meshach, and Abed-nego were cast and being burned forever and ever. No; no. We all hope, and that is the strong evidence, for life hereafter.

Sometime ago I had the pleasure of dining, on the invitation of Representative PORTER, of Pittsburgh, with a great manufacturer and a great business man. There were present, if I recollect, 18 or 20 guests at his house here in Washington. The guest of honor was Mr. Brashears. That gentleman is the great lens maker of the world. He commenced life as a puddler, but in off hours he turned his attention to the stars. He married, but there were no children. As he studied the stars and began to make lenses his wife was his assistant. He made great progress in his art. He made the great lens for the Lick Observatory, and other great lenses have been made in his laboratory. We made him do most of the talking by asking him questions, first by one and then another.

I asked him, "How far can you see into space with the strongest lens that you have produced?" He said the strongest lens ever produced in the world was produced at Pittsburgh in his laboratory. I said, "How far does that lens reach into space?" "Ah," said he, "I am something of a mathematician; we know the velocity of light; that lens can reach so far that if a sun in space were to be extinguished this minute, the light that started from that sun would not reach the earth for fifteen hundred years. Space is but another word for something without boundary."

Then somebody asked him, "When was it that your wife died?" He answered, "Two years ago." Then somebody asked, "Where is she buried?" His answer was, "Beneath the laboratory. And there I shall be buried, and on my wife's memorial"—in substance I give the words: "We have searched the stars together, worked together, made lenses together; we have become familiar with space, so far as human eye by human invention and aid will allow; and that Power which made the universe and placed law upon it will care for us after this life."

So I have faith to believe that that Power will care for Senator GALLINGER, will care for JOHN A. STERLING, will care for the loved ones that have crossed over. I do not know; perhaps I am not orthodox. We can not shape our future lives except as we come under general law, and the great First Cause that called matter into being was not only wise but omnipotent, which means just and merciful. It is a favorite thought with me with respect to my loved ones, when I think about them, who have been crossing over, it seems to me, every few years since I can remember, that I shall meet them there. Such is the universal desire. While the legislative record of our deceased colleague here, Mr. STERLING, and of the honored and able Senator GALLINGER is lodged in the official archives of the House and Senate, while we sympathize with the friends that survive, yet if we are welded by work, by wisdom, by fidelity, crossed on courage, I shall hope and be content if we can reach men in the great eternity like unto Senator GALLINGER and JOHN A. STERLING.

Unliquidated Damage Claims, $4,000,000,000.

SPEECH

OF

HON. EDWARD C. LITTLE,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 8, 1919.

The House had under consideration the resolution (H. Res. 487) providing for the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. LITTLE. Mr. Speaker, I want the House to understand the amount of the bills for whose payment they are providing in the matter of the claims for damages to people who did obey the law of 1862 as to contracts. In the hearing before the committee the Comptroller of the Treasury said:

This bill will confer on the War Department the settlement of more equitable claims in amount, in my opinion, than Congress has settled since the beginning of the Government.

That is what you are arranging for. Can you not spend a day on that? He says again:

Probably the amount of money in equitable claims which will be covered by this bill is more than has been acted upon by Congress through its Committee on Claims since the beginning of the Government.

And you are taking 80 minutes to discuss it.

How fast are they going to settle it? Mr. Warwick, the Comptroller of the Treasury, says:

I understand the War Department, if this proposed legislation is enacted, could settle with the contractors within 30 days after the law is passed by Congress.

He testified that there are 6,669 of them.

Mr. GORDON. Six thousand.

Mr. LITTLE. Six thousand six hundred and sixty-nine claims already. And the gentleman from Ohio came up here and told us he had investigated them and that they were all right. An old lady came home from the drug store in great haste and she said to Mike, who was smoking by the stove, "They have got a complexion powder down at the drug store that will give me the complexion of a baby." He looked her old mug over kindly and he said, "It will be a dandy if it will do it." [Laughter.] And yet that is what you want to do. You want to authorize the War Department in 30 days to pay out $4,000,000,000 to 6,669 different claimants, and more to follow. Great God, gentlemen, they will think you are crazy in a hundred years from now when they read this bill.

They tell us that these are contracts. There is not a contract here. The Comptroller of the Treasury has turned down every one of them as illegal.

The chairman of this committee says this bill is to provide for contracts that were not valid contracts. That is what is the matter with these alleged contracts. Mr. Dorr says, in the hearings, "an agreement may not be a contract, and it was not a contract in this case, because the law prescribes that it shall not be a contract until it is signed in a certain way." You are here to protect the public. You are not here to only take care of the contractor. You represent the taxpayers and it is your business to interpret these laws for their benefit.

You come here and tell me that they can not pay a wounded soldier. Has any rule been brought in here to fix a way by which the soldiers can get their money quickly? There are thousands of poor women who are not getting their allotments. Has anybody brought in a rule here to authorize a system to hurry up the payment of these allotments? Yet you come in here with a rule for the benefit of manufacturers, who have millions back of them. Why does not somebody appear here and ask for a rule for the benefit of the wounded soldiers and the widows and orphans? [A voice, "Whoo-ee!"]

Who says that? Some contractor? Some speculator? Some profitteer? Is there anyone here who would vote to pay the unliquidated damage claims of millionaire manufacturers and then jeer when some one speaks for the soldiers' wives who do not receive their allotments, for the orphan, the widow, and the unpaid wounded soldier? They tell us he who argues for the millionaire is a conservative statesman and then turn around and declare the man a demagogue who says that the soldier who fights for his country should receive as much financial consideration as the contractor who profits from it. They lie.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I have not time. The gentleman from New York is the one who said to the department satraps in the hearings, "You think you are God's anointed and want to do it in your own way." He was right. What is the matter, where is the Senegambian in the woodpile? In 1862 they made a law that every man down there who made a contract should make an affidavit that he was not interested in it. That is the mystery and that is the trouble. You talk about a contract. There is no affidavit in one of these pretended contracts in which the man says that he was not concerned in it. Some fellow with a major's epaulets on his shoulders probably made these agreements, or most of them, and then ran off and made no affidavit, because he was afraid that he would get into the penitentiary.

Yet he wants us to authorize him to settle up and pay the entire claims because he knows all about them. He certainly does. He knew too much to swear to them. I would not vote to pay anyone until the affidavits required by the law of 1862 are made. A commission of these nonaffidavit workers would be a farce. We put the "conscientious objectors" to military service in jail. We ought to put these "conscientious objectors" to making affidavits demanded by law in jail with them. The latter class is much more dangerous to the Nation. Yet they can get big business and little business and the press with them, while the first has only the War Department. A commission sufficiently large should be appointed with authority to take evidence and make a thorough examination. It should report to the Congress of the United States, which appropriates the money to pay these damage-suit claims.

Some of these contracts are probably just. I will vote for a commission to investigate them and report here, and will vote to pay them as fast as they are proven honest, but I will not vote to spend a nickel on one until the fellow with spurs on his heels will make an affidavit that he was not interested in it and then comply with the law of 1862, passed in the country's greatest emergency. [Applause.]

EXTENSION OF REMARKS
OF
HON. OTIS WINGO,
OF ARKANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. WINGO. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a song of Uncle Sam, by G. M. Comstock, Uniontown, Ark., as follows:

A SON OF UNCLE SAM.

(By G. M. Comstock, Uniontown, Ark.)

Somewhere in France in a war-torn place,
Out there in no-man's land,
Two burly soldiers met face to face—
One bade the other stand.
"Well, who's the one," spoke up the Hun,
"To halt me where I am?"
In tones of pride the other cried,
"I'm a son of Uncle Sam."

"And why, I pray, did you cross the sea
To come to a foreign shore;
And why depart from a land that's free
To hear the cannons roar?
The Kaiser bold, so I've been told,
Compares you to a lamb,
And said, 'They're right, but will not fight,
Those sons of Uncle Sam.'"

'Twas then the boy in the khaki suit,
With pride and a curt grimace,
Said, "Come with me, for I'll not dispute
With Bill or you or your sin-blacked race.
So face about and do not shout,
Just close up like a clam;
You're going back to my old shack
With a son of Uncle Sam.

There are two million of us in France,
With eyes by grief made dim,
Who watch and wait for the glorious chance
To storm your great Berlin.
We long to see the world made free,
Without a doubt or sham;
This war be closed and you exposed
By the sons of Uncle Sam."

SPEECH
OF
HON. EDWARD C. LITTLE,
OF KANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 9, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. LITTLE. Mr. Chairman, in the first place I want to call attention to the exact facts in this case. The gentleman asked, Do you want to cheat any honest man out of his money? I do not, and I do not want any grafter to "get his." Some of these claims are honest and some are not. I do not want the friends of the grafters to get behind the friends of the honest men and get anything that is not coming to them. I want to say this in behalf of the honest men and the honest claims: Every lawyer here, if he will be frank with himself, will concede to himself, if he will not in public, that this law is probably unconstitutional, because it places judicial power in the hands of the Executive, and if an injunction is applied for the injunction will be granted. I am not sure that we are doing the honest man any favor by putting him in this position.

Now, I want to call attention to the elementary facts. The law provides, in Revised Statutes, section 3744, enacted in 1862 for this very purpose, that every contract shall be in writing

on these matters, and that an official should make an affidavit that he made the contract and that he in no way profits thereby. These alleged contracts are not in writing and were not verified by the affidavit, in my opinion often omitted by legal advice. Now, gentlemen, we hear much said about contracts. There is no contract at issue here, because the law says it shall not be a contract until these things are done. That is not all. There is no legal contract, and there is no equity in it. Every man that comes into a court of equity must come with clean hands himself.

If A and B undertake to make a contract, in writing, and A says he will do this if B will make an affidavit, and they do not execute any writing, but B turns around and undertakes to set up an equity, and has not made the affidavit, he has no equity. He does not come with clean hands. If any man undertakes to get in under this law, where an affidavit is essential, and he in any way assists in getting away from that affidavit, he has no equity. There is no legal right and no equity, because they can not come in with clean hands to avail themselves of it.

Instead of being contracts these are felonies, and this law ought to read at the beginning not to confirm informal contracts but for the relief of formal felonies. That is where you start, gentlemen, and that is all there is to it. A great many of these men are honest men and have no intention of violating the law. What is the result? They have been placed in a position where they may be brought up for a felony and prosecuted for a felony. If the felony is not there, why do you put in a provision by amendment that you reserve the right to arrest every one of them?

In the hearings December 9, 1918, the character of these unliquidated damage claims is fully developed. The evidence presented there shows that they are merely unliquidated damage claims. Mr. Warwick, Comptroller of the Treasury, says, page 30:

> There is no real liability on the Government for these claims. The Court of Claims and the Supreme Court would give judgment to the United States on any case that is intended to be covered by this bill.

He says, page 31:

> This bill does not cover cases where the material has been delivered.

And, page 31:

> I mean the contractor would get his money without this bill where he has delivered the articles and the Government has accepted and used them. He would get the fair value of the article.

Comptroller Warwick says, page 28:

> The Supreme Court of the United States holds that, so far as the man (p. 29) who has delivered under an informal contract is concerned, he is entitled to quantum meruit.
>
> The CHAIRMAN. Against the Government?
>
> Mr. WARWICK. Against the Government; oh, yes. But this bill does not cover that. This bill covers articles not delivered.

You can see that the claims this bill is calculated to pay are not intended to provide a fund to pay for anything the Government has received. The Supreme Court has provided the method for meeting that. These claims are for unliquidated damages somebody claims for nobody knows what. They will amount to over $4,000,000,000, and perhaps never cease. Here are our soldiers straggling home out of employment, and men who advocate the expenditure of billions to meet demands that are nothing on earth but damage suits will absolutely refuse to make any serious preparation to reward the soldiers for their sacrifices and enable them to get a new start. What has John Smith to complain of when he talks about some contracts that were never made and never carried out when John Jones comes home with a wooden leg and no job?

Where the claims are just they will be met, but thousands of crooked grafts will sneak in here if this bill goes through, when the Government by the law of 1862 made such things impossible. On page 34 of the hearings before the Military Committee on December 9, 1918, a member of the committee, the gentleman from New York, says:

> When these contracts were made there was talk in the Halls of Congress and on the streets of our country to the effect that men formerly employed by these great contractors were the people who were giving the contractors all the contracts. Under this bill those men will be put on boards to pass on the question as to what their former bosses are going to get when the war is over. After we have won, there is no need of paying a tribute for winning the war.
>
> Mr. WARWICK. That is not a question directed at me, is it?
>
> (Thereupon the committee adjourned.)

Well, I should think it would adjourn. There is not a man in the world who dare answer the question. Ah, you know, they sent their employees here with majors' shoulder straps and jingling spurs to pose at a desk as "experts" and secure contracts for the men for whom they worked at home. Then they discovered the law of 1862 that required the fellow in these spurs and straps to make an affidavit that he was not concerned in the matter, and consulted their attorney. Of course any intelligent attorney would instruct them not to make the affidavit, as it would take them to the penitentiary. They violated the law about the affidavit, and therefore violated the law that required them to make a contract in a certain way. Then the Comptroller of the Treasury refused to allow the pretended contract to be paid, and they come here and ask Congress to enact legislation that will authorize the Department of War, of which these shoulder-strapped individuals are clerks and officers, to pass upon and settle the very contract these felonists made. Why should they pass upon it after they were afraid to make an affidavit that they were not concerned in it? If they had obeyed the law, we would not need any more legislation. It must be obvious to any intelligent man that this is simply a law to compound a felony.

The bill presented by the Department of War could not get 20 votes here; the amendments only make it able to pass. What are they? Safeguards, they say. Why so many "safeguards"? Because we all know something is wrong; but the safeguards get nowhere.

What happened? The Comptroller of the Treasury refused to disobey the law, made to protect taxpayers from profiteers, and declined to allow any of these claims to be paid. The very fellows who assisted them in committing this violation of the statutes come in here and say, "a felony has been committed; we committed it, let us straighten it out; we are the fellows who can do that; we know all about it." That is exactly what has happened, and you need not try to get away from it. I concede that does not alter the fact that a lot of honest men have honest claims, but there is not one of them coming here who is in a position to go into a court of equity and demand equity, because he can not show clean hands.

This is not a grant of equity. This is to grant mercy, and it should be granted. It droppeth like the gentle dew from heaven, and here is a good time for Congress to drop some, but it is not necessary to give it to any grafter. A year and a half ago I saw this Congress appropriate $640,000,000 for airships in two hours, and when somebody got up and said, "Who is to make them, and how much will they cost," some man answered, with flamboyant oratory, that "You must not delay; you must trust the War Department," and we did, and where is your $640,000,000?

Mr. LAGUARDIA. We did not get a machine.

Mr. LITTLE. Not a thing to show for it! I do not want you to say "hurry" to me again. I made up my mind at the time there was something wrong then. I did not object because of the phenomenal conditions. But I shall not be flimflammed again if I know it. The emergency is gone and I am objecting now. There is no Hun at our throats to-day.

Mr. McKENZIE. It is too late as to the machines.

Mr. LITTLE. Yes; the gentleman from Illinois says that it is too late to object to the $640,000,000, but it is not too late to object to the $1,600,000,000. The statements already show in these hearings that it has run up over $4,000,000,000. Four billion dollars! Why, every grafter in the United States will be in on this thing. Every man who can think of some reason why he should come in will be in, and you gentlemen who wish to help the honest men should aid to establish some system by which they could differentiate between the honest man and the crook. I will help you do everything that I can toward that consummation. The law of the land is against all of these people. We must now devise some means by which real justice and equity can be done, although not one of them is in a position to demand it legally. A proper commission will do it.

Oh, I know these damage-suit people are yelling bloody murder because they do not get their money. They are crying "Hurry, hurry, hurry," that business will be ruined and a panic will be precipitated if they do not get their money. Yes; the boys over in France who were not paid once in nine months sometimes were in a hurry, too, but you never did a thing about it. The soldiers' wives at home with big families in need cried "Hurry, hurry, hurry" for their allotments, but you never raised a finger to put in a rule to bring up their bill and you never had a committee report any bill for them. Why is it that every eagle owned by a rich man "hollers" so much louder than the eagle owned by a poor man when they are both squeezed? Why is it that society hardly hears the wail of the hungry, the hoarse cry of the soldier, but has its ear attuned to catch the slightest whisper of distress from what we call the business interests?

These people are simply the agents of society to carry out certain economical features, and most of them make big money by doing it, but the people you have forgotten, the soldiers' wives and the wounded at the front, are the sacred charge of the Congress of the Republic, and I do not like to see men come in here with a rule to put through, almost without discussion, payments that are admitted to amount to $1,600,-

000,000—and will really be over $4,000,000,000—to men whose claims are described by the Comptroller of the Treasury in the terms I have quoted.

If they were in such a hurry, why did they not comply with the law of 1862? If the payment of this money was so important that a delay might ruin society's business interests, every man that failed to make an affidavit that the law required to expedite it ought to be in the penitentiary as a malefactor of the most dangerous kind. They should be held to the strict performance of that legal duty which was thrown upon them by the statutes for the protection of the Treasury against the raids of just such men as some of them evidently are. This country, as a result of this war, has become indebted in the sum of thirty billions of dollars. Of this, four billions, practically one-seventh, will be paid to the men who did not comply with the law, but sought to evade it by this very failure to make these affidavits. I suggested to a gentleman who is most ardent in favor of this legislation that we support a bill to pay the soldiers a bonus for their services according to a suggestion I made. He said, "My God, that would cost the country five hundred millions of dollars. Where do you think all that money is coming from?" It never occurred to him as to where this four billion was coming from to pay the manufacturers who had violated the law, yet his hair curled with indignation when I wanted to pay $500,000,000 unliquidated damages for their sacrifices to the gallant boys who left their jobs and salaries, who left their business, who gave up all their opportunities in life and went off and risked their lives for America.

Talented orators tell us that these big business men took these great risks on account of their loyalty to their country. Well, some of them did and some of them did not. That style of argument has been given full sway here. But we do know that the soldiers who fell on the fields of France, went down into the Argonne never to return, who sleep in Belleau Woods, who rest forever at Chateau-Thierry, and who made the breach at Cantigny heard no call but that of duty, no enticement but that of loyalty. They had nothing to gain and everything to lose, and they lost it; and every man that pleads for them with the word loyalty on his tongue will be denounced as a demagogue, and every man who comes here to upset the laws of his country to plead for profit makers and profiteers, with the argument that they sacrificed for loyalty, has forever estopped himself from saying demagogue to anybody who talks of the soldiers' sacrifices and a pecuniary award to them. The business men of this country have good lawyers, and they were told what the law was. They should accept the situation they created and get their money just as all the rest of us get ours when we fail to obey the law.

The gentleman from Pennsylvania suggests that we appoint a board of Members of Congress to survey these claims. A gentleman sitting by me who is an ardent supporter of this bill remarked, "I would not be a member of that for $10,000 a year in addition to my salary." I said, "Why?" He said, "Because I do not know anything about these claims." He does not know anything about it, yet he wants to and will vote for allowing $4,000,000,000 of these claims. One member of the committee told me that he knew of a $1,000,000 steal that was to be presented under these claims, but he had secured an amendment under which he could head that off. How many more are there that ought to be headed off? If you do not think some of these are crooked, why have you made so many amendments to the bill first presented by the War Department? If you were so afraid of the bill presented by the War Department to the Military Committee that you had to add amendment after amendment, how do you know that it is all right now? If you could not trust the War Department to make the bill, how can you trust them to pay out the money without any supervision? These people are no better than the rest of the country, and injuries to them are no more dangerous to business than damages to other business men. They should be given an opportunity to secure their money by proving their claims, just as all the rest of us do when we get into trouble.

We do that by going through forms of litigation provided to do justice between men. There is no reason why these men should have any more privileges than the rest of us who try to obey the law. This House should provide some special proceeding, in the nature of a commission, with authority to take evidence and to do justice to all concerned, including the taxpayers, who will have to put up this $4,000,000,000. The rest of this country must adopt such a system as that to pursue its unliquidated damage claims. Of course, these people will complain that that is slow, but—

> No rogue e'er felt the halter draw,
> With good opinion of the law.

If you hold these men to the methods the rest of the country must follow hereafter, you will have no difficulty in protecting the taxpayers against improper contracts in the War Department. If you authorize the men who violated the law to have full charge of the settlement of their own illegal claims, you will make a precedent that will endure to plague the taxpayers for centuries to come. As for the honest men with just claims, they will be willing to get their justice from the law, as other men do, and we should make that provision for them.

I yield back half of my time to the gentleman from Iowa [Mr. DOWELL] and half to the gentleman from Pennsylvania [Mr. MOORE].

MEMORIAL ADDRESS
OF
HON. THOMAS L. RUBEY,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. RUBEY. Mr. Speaker, more than 40 years have passed since the Members of this House have been assembled to pay a tribute of respect to the memory of a Missouri Senator. On September 20, 1877, Lewis V. Bogg, then a United States Senator, died while serving his first term, and since that time no Member of that body from Missouri has died while in office until April 14, 1918, when WILLIAM J. STONE, then serving his third term, passed away. Missouri during her little less than 98 years of Statehood has had 26 Senators, 4 of whom have died while in office. Besides those already mentioned, STONE and Bogg, the third and fourth Senators, Alexander Buckner and Lewis F. Linn, passed away while in office. Buckner served only a little more than 2 years, while Linn served nearly 15 years.

I trust that it will not be considered inappropriate if I briefly touch upon some facts and incidents of history relating to the long line of illustrious men who have occupied seats in the "upper House" from the great Commonwealth I have the honor to represent in part in the "lower House" of Congress.

During the early years of her Statehood the people gave to their Senators long tenure of office. For 35 years she was represented by only six men; two of these died in office; otherwise the number would have been less. From 1855 to 1881 no man succeeded himself in office with the single exception of John B. Henderson, who was appointed to succeed Trusten Polk in 1862, and who subsequently was elected to fill out his unexpired term and reelected for a full term. Henderson's length of service was a little over 7 years. During this brief period of 26 years no less than 15 men occupied seats in the United States Senate from Missouri. With the reelection of Francis Marion Cockrell in 1881, the people returned to their former custom of giving long service to the faithful; and, as if to emphasize that fact, they reelected Senator Cockrell four times, giving him 30 years, a record equaled only by Thomas H. Benton. To be exact, Senator Cockrell's service exceeded that of Thomas H. Benton several months, due to the fact that while Benton was elected in 1820, Missouri was not admitted until August 21, 1821. The shortest term of service was that of David F. Jewett, who was appointed to fill a vacancy, and who served from December 19, 1870, to January 21, 1871, a period of one month and one day. He had a close second, however, in James Shields, who was elected to fill out the unexpired term of Lewis V. Bogg and served from January 24, 1879, to March 4, 1879, one month and eight days. Only one of Missouri's Senators has ever resigned. That was Charles D. Drake, who resigned to accept the appointment of chief justice of the Court of Claims. Two of our Senators were foreign born—Carl Schurz, who was born in Germany, and James Shields, who was born in Ireland. Schurz, after representing the State in the United States Senate, became a member of President Hayes's Cabinet, and later located in New York City, where he became a very distinguished editor and

nuthor. Shields had the very great distinction of representing three States in the United States Senate. First Illinois, then Wisconsin, and last but not least, Missouri. David R. Atchison is the only Missourian who has had the distinction of serving as President of the United States. He was President pro tempore of the Senate on Sunday, March 4, 1849; and as Gen. Taylor was not sworn in until March 5, Atchison for one brief day was President of this great Republic.

WILLIAM J. STONE, in honor of whose memory we meet to-day, was the twenty-fourth Senator from Missouri. In length of service he was exceeded only by Senators Cockrell, Benton, and Vest. Elected in 1903, reelected in 1909, and again in 1914, the last time by popular vote, he was just entering the sixteenth year of service at the time of his death.

The old State of Kentucky has been very generous to Missouri. She has furnished us with some of our most distinguished citizens, among them Senator STONE. He came to the State early in life and was educated there, graduating from the university at Columbia. Every official position he ever occupied came to him as the result of the confidence and esteem in which he was held by Missourians—prosecuting attorney, Member of the House of Representatives, governor, United States Senator. Remarkable career, one of which any man might well be proud. In every position, from county attorney to the exalted position of United States Senator, he served his people with fidelity and distinction. Of all Missouri's distinguished governors, Senator STONE is the only one ever elected to the United States Senate after serving a full term as governor. Trusten Polk was inaugurated governor and in a few days was elected to the Senate, while B. Gratz Brown was elected governor after having first served in the United States Senate.

My acquaintance with Senator STONE began in 1892, when he made his memorable campaign for governor of Missouri. His opponent in that race, Hon. William Warner, attacked the record of the Democrats and selected as his slogan "Poor old Missouri." Mr. STONE accepted the challenge, defended the Democratic record in Missouri, took as his watchword "Grand old Missouri," and from one end of the State to the other proclaimed the greatness and the glory of that splendid Commonwealth, of which some one has written:

> The winds of heaven never fanned,
> The sparkling sunlight never spanned,
> The borders of a better land
> Than this our own Missouri land.

That remarkable campaign of 1892 added to the luster of STONE as an orator, won for him the governorship, firmly established him in the affections of his people, and eventually made him United States Senator.

In his political speeches Senator STONE was unselfish; he always talked for the "other fellows" rather than for himself. In every campaign he ever waged he never lost sight of his associates on the Democratic ticket, and each one of them received from him strong words of praise and commendation. No man I have ever known was truer to his friends than he. He firmly believed in and faithfully practiced the sentiment—

> The friends thou hast and their adoption tried,
> Grapple them to thy soul with hoops of steel;
> But do not dull thy palm with entertainment
> Of each new-hatched unfledged comrade.

Of Senator STONE it may be truly said, "He died in harness." On the way to the Capitol, where he was to have made a speech in the Senate, he was stricken. He lingered in a semiconscious state only a few days. Once in a while he would revive, and in those moments he would insist that he must go to the Senate, that he was expected to speak, and that he must be there ready to do his duty.

He died, I am sure, as he would have desired could he have been consulted. There was no long and lingering sickness full of pain and consequent suffering of sympathizing loved ones powerless to give relief. On the contrary, after an illness of only a few days, surrounded by his devoted wife, son, and daughters, he peacefully breathed his last and passed to the great beyond. That his going brought sincere sorrow and mourning to the great hosts of faithful friends was manifest on the return of the body to Missouri. From the time the funeral train crossed the Father of Waters—the Mississippi River—and reached Missouri soil until the very end of the journey, at every place where a stop was made the train was met by vast crowds of people. At St. Louis, the first stop, that great, magnificent station could not begin to accommodate the friends who were there to pay their tribute of respect. The vast throng lined up on either side of the long platform and stood with bowed and uncovered heads as the body was borne from the train. Tears flowed down their cheeks, giving mute and unmistakable evidence of the sadness which filled their hearts. The next stop was made at Jefferson City, the State capital, where the body lay in state in the rotunda of that magnificent new statehouse so recently erected upon the bluff of the Missouri River. On this historic spot had stood the old capitol building in which for four years Senator STONE had served as governor. The new capitol, erected at a cost of nearly $4,000,000 to replace the old one destroyed by fire a few years ago, was just being completed, and Senator STONE's body was the first of Missouri's distinguished dead to lie in state there. The casket containing his remains was placed in the great rotunda, in the recess formed by the great winding stairways leading to the floors and galleries above. It was banked with the most beautiful array of flowers I have ever looked upon—tokens of love, affection, and esteem sent from far and near. All day long there was a constant stream of people passing the bier of Missouri's distinguished Senator. They came from everywhere; nearly every county was represented. Old men, with the weight of years showing in their tottering footsteps and their whitened hair, paused and looked upon the face of the dead, wiped the tears from their eyes, and with saddened countenances and throbbing hearts passed on. These were the friends of other days—men who had known him, honored him, and stood by him in the days gone by, and who now came to look for the last time upon the face of their friend and pay to him this last mark of their affection and esteem for him. Men and women passed by the thousands. The children came from the public schools; the business men closed their doors and came to pay honorable tribute to the dead. No one who viewed this truly wonderful scene at Jefferson City can for a moment doubt the esteem and love of the people of Missouri for this man who had served them in the threefold capacities of Congressman, governor, and United States Senator.

The funeral train left the capital at night, arriving at Nevada, Mo., early the following morning. Here again we were met by vast crowds of people who came from the surrounding counties. This was the old home of Senator STONE. Here it was he began his political career. Here it was we were to meet his old-time friends, those who had known him from his early manhood. The manifestations of sincere grief and sorrow shown both at the funeral and at the grave told the story of their affection for this distinguished man far more eloquently than it can possibly be related by me. Home! He was back home again; he had taken his last earthly journey and had come back to make his final resting place near his old home. We laid him to rest in the beautiful cemetery at Nevada. There in the silent city of the dead he rests to-day, surrounded by friends and loved ones who have gone before and where he will be joined in the days to come by other loved ones and other friends who must so surely follow.

The body of WILLIAM J. STONE, all that is mortal of him, lies out there in that cemetery; the grass will grow green above his grave, the flowers will bloom, the birds will sing their carols in the trees; friends and relatives will come to visit that grave, to spread flowers upon it, and to water them with their tears; in time, no doubt, friends and admirers will erect a suitable monument, so that future generations may know that the body of a distinguished statesman and citizen lies buried there. WILLIAM J. STONE is not there; his immortal spirit took its flight when the breath left the body. He has gone to meet his reward in the great beyond. On that bright day in April, nearly a year ago, his immortal spirit winged its flight—

> To that mysterious bourne
> From which no traveler returns.

And to friends and loved ones who put their trust in Him "Who doeth all things well" there comes that sweet consolation:

> We'll meet thee and we'll greet thee
> On the never ending shore;
> We'll dwell with thee in glory,
> To be parted nevermore.

HON. JACOB E. MEEKER.

Mr. Speaker, the House of Representatives meets to-day to pay respect not only to the memory of a Missouri Senator but to a Member of the House of Representatives as well—Hon. JACOB E. MEEKER, of the tenth district of Missouri. That there is nothing more uncertain than life nor more certain than death is illustrated in the case of Dr. MEEKER. I saw him just a few days before his death, the very picture of health—hale, hearty, and robust—and yet in just a little while there came flashing over the wires the sad news of his death. I did not know him well; I had never met him until he came to take his seat in this body in December, 1915. He very soon impressed me as a man not only of marked ability, but a man of very decided views—one who had opinions of his own and was not afraid to express them. He was a fluent and forceful speaker,

and almost at once took rank as one of the best debaters in the House.

A native of Indiana, his body was taken back there for burial and was laid to rest in the country churchyard in the neighborhood where he was born and where he had spent the greater part of his life.

Dr. MEEKER died in St. Louis and the congressional committee met the funeral party at Attica, Ind. The funeral ceremonies took place some 12 or 15 miles from there, in a beautiful country church near the old Meeker homestead. On the way out we passed through the most wonderful farming country I have ever seen. Detouring a few miles from the direct road, we were taken by the farm and had pointed out to us the large, spacious farmhouse where Dr. MEEKER was born. It was an ideal country home, situated in the very center of a tract of some two or three thousand acres of the very best land that can be found in the State of Indiana. I was impressed with the prosperity which was in evidence on every hand—splendid, well-kept homes, fine barns, excellent rock roads—all going to show that the people were prosperous and well to do.

The people came in great numbers to pay their respects to one who had formerly made his home with them, who had gone to a distant State, where he had won honor and distinction, and who at his own request was to be buried among them. The church was crowded even beyond its capacity. The casket was surrounded by flowers in great abundance, tokens of affection and esteem from friends and loved ones. After an impressive sermon by the pastor, Representative L. C. DYER, of Missouri, on behalf of the congressional party, delivered an address in which he spoke eloquently and feelingly of our departed colleague. In the beautiful cemetery adjoining the church, near the home of his childhood, among old-time friends and neighbors, we laid to rest all that is mortal of JACOB E. MEEKER, who, although comparatively a young man, had by his zeal, energy, and determination won for himself high political honors and a lasting place in the esteem and affections of all who knew him well.

Collection of Rulings Made by Mr. Saunders of Virginia as Chairman at Different Times in the Committee of the Whole.

EXTENSION OF REMARKS
OF
HON. THOMAS U. SISSON,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SISSON. Mr. Speaker, under the leave granted to me to extend remarks in the RECORD I include a collection of rulings made by Mr. SAUNDERS of Virginia at different times as Chairman of the Committee of the Whole:

An amendment in the nature of new legislation is not in order on an appropriation bill, unless it is germane to the subject matter of the bill, and operates ex proprio vigore to reduce expenditures.

On February 9, 1912 (RECORD, p. 1903), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the chairman of the Committee on Military Affairs, submitted an amendment, as follows:

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, at the end of line 8, after the word "dollars," insert the following:

"*Provided*, That on and after the 1st day of July, 1912, there shall be 10 regiments of Cavalry, and no more, in the United States Army, and that the officers who shall be rendered supernumerary by this reduction in the number of Cavalry regiments shall be retained in service and shall be assigned to vacancies in their respective grades as such vacancies shall occur in the Cavalry, or, in the discretion of the President, to such vacancies in their respective grades as shall occur in any other arm of the service."

To this amendment a point of order was made, and after debate the Chairman ruled as follows:

The CHAIRMAN. The point of order against the amendment offered by the gentleman from Virginia is that it changes existing law. This is admitted. But it is urged in support of the amendment which is confessedly germane that it comes within the Holman rule, and is in order on the ground that it retrenches expenditures.

The Chair desires to place its ruling upon a foundation of authoritative precedent, and to follow the established and familiar rules of parliamentary construction.

Many rulings have been made under the Holman rule. The Chair has examined these rulings in detail. Some of them are conflicting in part. Others are absolutely irreconcilable. Still others are harmonious and consistent, and may be cited as authorities in point. One of these rulings was made upon an amendment offered by the gentleman from Missouri, Mr. De Armond, to a pension appropriation bill. (CONGRESSIONAL RECORD, 52d Cong., 1st sess., p. 1792.) This amendment consisted merely in the addition of the words "or other," to the existing law.

The point was promptly made that the amendment did not show on its face that it retrenched expenditures.

In this connection it is proper to state that it has been expressly held by Speaker Kerr, and concurred in by Chairman William L. Wilson, that in determining whether an amendment will operate to reduce expenditures, the Chair can look to the law of the land, so far as it is applicable. (Hinds, vol. 4, p. 595.)

The effect of the amendment offered by the gentleman from Missouri, Mr. De Armond, was to increase the number of persons prohibited from receiving the benefits of a particular clause of the pension law, thereby reducing the number of pensioners, as a necessary sequence. A reduction in the number of pensioners carried with it a reduction in the amount that would be paid out for pensions under the general head of pension appropriations. The De Armond amendment was held to be in order. It will be noted that this amendment was not directed to the amount of money actually appropriated by the bill. In terms it did not reduce the aggregate amount specifically carried for the payment of pensions. But the Chair was justified in concluding, certainly it so concluded, that in the execution of the pension laws the amount otherwise required for the purposes of pensions would be reduced by the De Armond amendment.

There are a few general principles heretofore announced for the interpretation of the Holman rule, proper to be stated in this connection. I quote again from Mr. Chairman Wilson, concurring with Speaker Kerr.

The purpose of the rule (the Holman rule) is most beneficent and proper, and it should have a liberal construction in the interest of retrenchment. (Hinds, vol. 4, p. 594.) Mr. Kerr was universally recognized as a learned and skilful parliamentarian. Mr. Wilson was an exceptionally brilliant and accomplished scholar.

In this connection, the Chair will state that for an amendment to be in order it is not necessary that it should be specifically directed to a reduction in terms of an amount carried in a bill. Of course, if it is addressed to such an amount, and reduces the figures of the same, it will be in order. As, for instance, if the sum of $1,000,000 is appropriated for a designated purpose pursuant to the requirements of existing law, and an amendment is submitted, reducing this amount to $995,000, this amendment will be in order. Such an amendment does not depend upon the Holman rule to be in order. It is in order on other grounds. The language of the Holman rule is to the effect that germane amendments changing existing law are in order provided they retrench expenditures, by the reduction of the amounts of money covered by the bill.

The words "amounts of money covered by the bill" refer not only to the amounts specifically appropriated by the bill, but to the amounts required under the different heads, or items of expense to which the bill relates. And if the necessary effect of an amendment upon the operations of the department, or bureaus, for which appropriations are made, will be a reduction of the amounts otherwise required under any one, or more heads, or items of expense, then a retrenchment has been effected by a reduction of the amounts of money covered by the bill. It is only in this view of the rule, that the De Armond amendment was in order. This amendment contemplated that in a system involving payments to pensioners, whatever the appropriations might be, the amount actually required for the administration of the law would be appreciably reduced by a reduction in the number of pensioners. The Chair is not unmindful of the proviso in the second section of Rule XXI, but whatever meaning may be given to the proviso, it should not be construed to take away powers definitely given by the preceding paragraph. This paragraph permits germane amendments to change existing law, provided they retrench expenditures in one of three ways. The proviso allows further amendments on the report of the committee having jurisdiction, provided they reduce expenditures. If the committee offers germane amendments, reducing expenditures in any way, they will be in order, and it will not be necessary to refer them to one of three heads. Power of action being plainly given by the paragraph standing alone, the proviso will not be deemed to take it away, unless such intention is plainly manifested. The two sec-

tions will be construed to stand together, and amendments offered, whether under the first paragraph or the proviso, will be tested by the requirements of the head under which they appropriately fall. This is certain to give a liberal construction to the rule as a whole in the interests of retrenchment.

The Chair will further say that it is not enough for the Chair to think that an amendment may reduce expenses, or that it is likely to reduce expenditures.

The precedents hold in this connection that the amendment, being in itself a complete piece of legislation, must operate ex proprio vigore, to effect a reduction of expenditures. The reduction must appear as a necessary result—that is, it must be apparent to the Chair that the amendment will operate of its own force, to effect a reduction. (Manual and Digest, p. 409; Hinds, vol. 4, p. 595.) But it is not necessary for this conclusion of reduction to be established with the rigor and severity of a mathematical demonstration. It is enough if the amendment, in the opinion of the Chair, will fairly operate by its own force to retrench expenditures in one of the three ways indicated. This result must be a necessary result, not a conjectural result, or a problematical result. It is true that having reference to the difference of minds, one Chairman might hold that retrenchment would be the necessary result of an amendment, while another Chairman, or the committee on appeal, might be of a different opinion. But this is inevitable. The law is clear, for instance, that at times a court upon the facts can hold as a matter of law that there was no negligence. But, upon the same facts, one court will derive this conclusion, while another court, on appeal, will reach a different conclusion. The ruling of the Chair on these points of order is subject to appeal to the committee.

What does this amendment propose to do? The present law provides for an establishment of 15 Cavalry regiments. The proposed amendment limits the number of Cavalry regiments to 10. It is difficult for the Chair, by any fair process of reasoning, having reference to known facts, and the relative proportion between the branches of the Army, to see how 15 regiments of Cavalry can be maintained as cheaply as 10, or to hold that a reduction of the Cavalry regiments from 15 to 10 will not effect a necessary reduction in the amount which would be otherwise expended on this branch of the Army under existing law.

This amendment looks to the future, and while it provides for the officers, there is no provision for the retention of the men. But even if the men are retained, there will be a necessary reduction in the matter of horses, equipment, forage, and so forth, in the case of 10 regiments, as compared with 15. Moreover, fewer officers will be required for the military establishment upon a basis of 10 Cavalry regiments as against the existing 15. These results are certain. It is altogether problematical that such additions will be made to the Infantry that the economies effected by reducing the Cavalry regiments from 15 to 10 will be required to meet these additions to the Infantry, or to other branches of the service. Fairly considered, the necessary effect of the reduction in regiments proposed by the amendment under consideration will be a retrenchment of expenditures. If the Chair was required to determine the precise amount saved by this amendment, he would be compelled to rule it out of order. The precise amount of reduction could not be determined. That would be a matter of speculation. But it is clear that a reduction will be effected by the necessary operation of this amendment.

The Chair will cite some additional precedents in support of his ruling:

In an amendment providing that a certain class of persons, now on the pension rolls, shall hereafter not receive pensions, the retrenchment of expenditure is apparent and the amendment is in order. (Manual and Digest, p. 409.)

To the pension appropriation bill, a proposed amendment transferring the Pension Bureau from the Department of the Interior to the War Department, also providing that the offices of Commissioner and Deputy Commissioner of Pensions be abolished, and that the duties of these offices be performed by Army officers, to be designated for that purpose, without additional pay, was held to be in order, being germane, and retrenching expenditures in the manner provided by the rule. (W. L. Wilson, chairman, Hinds, vol. 4, 3887.)

An amendment to the pension appropriation bill providing that no fee shall be paid to a member of an examining board, for services in which he did not actually participate, is not subject to a point of order under this rule, since while it changed existing law, its effect is to reduce expenditures by decreasing compensation. (CONGRESSIONAL RECORD, 52d Cong., 1st sess., p. 1792.)

The Chair does not undertake to fix in terms the amount of reduction that this amendment will carry, but that a reduction will follow seems to be a fair and necessary conclusion from its provisions. [Applause.]

The Chair wishes to say, in conclusion, that it has sought to construe this rule, in conformity with the precedents and its manifest intent, so as to give it vital force and effect, and enable the committee operating under its provisions to accomplish some positive results in the way of economic achievement. In the words of Speaker Kerr, it is a beneficent rule. It should be construed to secure beneficent results.

This ruling of the Chair does not take from the committee a particle of authority. As a condition precedent to holding that an amendment is in order under the Holman rule, the Chair must be satisfied that the necessary effect of the amendment will be a retrenchment of expenditures, in conformity with the rule; but from this ruling of the Chair holding the amendment to be in order, an appeal may be taken, and the committee in the exercise of its authority of ultimate interpretation can reverse the Chair, if it is in error, and fix the interpretation which the committee in its wisdom thinks the amendment should carry. The Chair overrules the point of order. [Applause.]

On February 15, 1912 (RECORD, p. 2093), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. An amendment purporting to reduce expenditures was offered and a point of order was made against the amendment. After debate the point was sustained on the ground that on the whole it did not sufficiently appear that the amendment would reduce expenditures.

The CHAIRMAN. The Chair will not weary the committee by a restatement of principles heretofore announced in a previous decision, but before ruling will advert to certain arguments advanced in the debate of Tuesday.

In that debate it was contended that under the Holman rule in ruling on amendments to or provisions of a bill under consideration the Chair must look to the face of the paragraph, or amendment to determine from such paragraph, or amendment without extraneous aid or assistance, whether it will effect a retrenchment in expenditures. This is error. Speaker Kerr expressly ruled, and this ruling has been uniformly followed, that in determining whether an amendment will operate to retrench expenditures the Chair can look to the pending bill, the specific section or amendment under consideration, the law of the land so far as applicable, and the parliamentary rules and practices of the House. Keeping these aids to a decision in mind, the Chair must determine whether the amendment or paragraph will operate of its own force to retrench expenditures. The mere fact that the Chair may think that it is likely that a paragraph, or an amendment will very probably save a considerable sum of money to the Treasury of the United States, is not a sufficient ground on which to hold that such an amendment or paragraph is in order. In the judgment of the Chair, there must be something more. The amendment or paragraph must necessarily bring about such a result of reduction, ex proprio vigore, to be in order.

Further the view was urged upon the Chair that if the conclusion of retrenchment from the operation of an amendment or paragraph is assailed in debate, or if it requires evidence to establish such conclusion, then it does not appear from the provision itself that it will work a retrenchment, and the same will not be in order. This again is error. Any proposition may be the subject of debate. Conceding that the Chair is limited to the inspection of the face of an amendment or paragraph, even then the proper conclusion to be drawn therefrom may be very appropriately debated. The opponents of the amendment may contend with vehemence that no result of retrenchment will attend its operation, while with equal vehemence and superior logic the friends of the amendment may be able to demonstrate that such a result would be an inevitable sequence of its operation.

Hence the mere fact that the effect of a proposition may be assailed in debate will not operate to establish its invalidity, or put it beyond the pale of the Holman rule. The true doctrine is that with, or without discussion, the Chair must be satisfied, as a condition precedent to holding an amendment to be in order, that the necessary effect of the same operating by its own force will be a retrenchment of expenditures in one of the ways indicated by the rule.

The legislative provision which is under attack provides that hereafter all enlistments in the Army shall be for a term of five years. The present law provides that such enlistments shall be for a period of three years. In each case a man may reenlist at the expiration of his term. Provision is made by law for a bonus and an increase of pay on reenlistment. It is perfectly manifest, except under conditions so extraordinary that they may be eliminated from consideration, that under the five-year system of enlistment, compared with the existing three-year system, say, for a period of 15 years, there will be more reenlistments under the three-year than under the five-year system. Hence the system that will reduce the number of enlistments will effect a retrenchment of expenditures under

this head. It is contended, however, that certain other results will attend the five-year system which will make it on the whole a more expensive system than the other. But these results are purely speculative and problematical, and though vehemently asserted are with equal vehemence denied. In its first and immediate operation this provision will certainly effect a manifest and considerable retrenchment.

The Chair is not satisfied that there will be any result, as a consequence of the five-year system, which will make this system on the whole more expensive, or even as expensive, as the three-year system. The Chair is satisfied as to the immediate retrenchment which will be afforded by this provision, and is far from being satisfied as to any other results. Standing alone this paragraph is in order. The next sentence of the section under consideration is in the form of a proviso, which provides, in substance, that hereafter no changes shall be made in the uniforms of officers and enlisted men, except such changes as may be made in the uniforms of enlisted men without loss or additional expense to the Government. This provision is designed to secure economy of administration, but looking to the bill, and to the law of the land so far as applicable, will this result be necessarily secured by this language standing alone? Does it require the department to do anything that it can not do, or that it may not do, under existing law? Non constat but that the department, in the absence of this provision, will pursue the very course which the proviso is intended to prescribe. It may decide of its own motion, without compulsion, to make no changes in the uniform of soldiers, save such as can be made without loss or additional cost to the Government. Hence, it can not be said that the necessary compelling effect of this proviso is to secure retrenchment. This situation is not like the one presented in the preceding section. In that case a three-year term provided for by law, and in present operation, is proposed to be substituted by a five-year term. Hence a comparison can be made between the two systems. Unless the present law is changed the department has no volition save to live under the law of three-year enlistments as it is written. In the instance under present consideration the department is under no compulsion to make changes in uniforms that will cause loss or add expense to the Government. There is no way of demonstrating that in the future it will pursue such a course. Hence, as the Chair has said, there is no way of showing that this proviso will compel a course of action other and different from that which would be pursued in its absence.

Unless it can be reasonably shown that the course hereafter to be followed by the department will add cost and expense to the Government in the matter of uniforms, and that the adoption of the proviso is necessary to compel a different course and reduce that expenditure, then this proviso does not come within the principle of the Holman rule.

The Chair is not unmindful that many amendments are likely to be offered under this rule which are on the border line of order, requiring nice discrimination to determine the side of the line to which they appropriately belong. But the Chair must be satisfied that an amendment is in order to support a favorable ruling. In the present instance the Chair is of opinion that the latter portion of the section is not in order. The point of order is made to the whole section, and under the precedents, if sustained at all, it must be sustained in its entirety. The point of order is sustained to the whole section.

On February 15, 1912 (RECORD, p. 2114), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. A point of order was made against a paragraph on the ground that some of the contents of the paragraph, considered as isolated propositions, did not effect a reduction of expenditures and therefore the entire paragraph was not in order.

After debate, the Chair held that the paragraph was submitted as a single proposition of related parts and was therefore to be considered as a concrete whole.

Viewed in this light, the paragraph was held to be in order on the ground that it effected by its own direct operation, a considerable reduction in expenditures.

The CHAIRMAN. The Chair will proceed to dispose of the point of order. Some of the arguments that have been advanced in the discussion of this point have been considered in two previous rulings, and the Chair for the purpose of defining its attitude will refer the committee to those rulings without restating them in this connection. The Chair wishes to call the attention of the committee to an essential and obvious distinction between this section, and the one upon which he ruled this morning. The section ruled on this morning contained two provisions not related to each other, not dependent the one upon the other, but associated as two separate and distinct propositions. The precedents agree that when a paragraph is objected to as a whole, and any portion of the paragraph is not in order, then the point of order when sustained goes to the whole paragraph. The Chair in ruling simply followed the precedents, though the Chair must say as to these precedents that they seem to rest on no sound, or sufficient basis of reason.

But the Chair did not feel itself at liberty to overrule them. In the present case a section is presented by the committee as a concrete whole. It is constructive legislation, in which each part bears an appropriate relation to the whole. It is an entity of related parts. It is submitted as a complete legislative proposition. This being so, it should be considered as a whole, and not in segregated items. The section is presented as a whole, and when considered as a whole, it conforms to the requirements of the Holman rule. A paragraph here and a sentence there, taken as isolated propositions, may not retrench expenditures, but the Chair does not think that a really single proposition should be picked to pieces and destroyed in this fashion, when as a correlated whole the section effects a large retrenchment. This is the reverse of the proposition of this morning. In that case the point of order went to the whole section, for an independent part of it was not in order. In this instance the point of order is not good against the whole section, for, viewed as a whole, it effects a considerable retrenchment, and is not subject to a point of order. The Chair will not entertain a point of order to a paragraph unless the different elements of the paragraph are not necessary parts of the complete proposition. The committee having jurisdiction has reported a concrete section carrying independent legislation. It should be considered as such. Looking to the correlated parts as a whole the section effects a reduction. It has not been denied in argument that this section as a whole will effect a considerable retrenchment. The Chair is of opinion that there is a manifest and distinct difference between the pending proposition, and the one upon which it ruled this morning, and that the principle which controlled the prior ruling can not be invoked in the present instance. The point of order is overruled.

On February 15, 1912 (RECORD, p. 2116), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the gentleman from New York, Mr. Fitzgerald, offered the following amendment:

Add, after the word "law," line 5, page 53, the following: "*Provided*, That on and after July 1, 1912, there shall not be maintained in the District of Columbia more than one disbursing office for the Signal Corps or for any one of the staff departments of the Army.

To this amendment a point of order was made by the gentleman from Illinois, Mr. Prince. The Chair sustained the point of order, holding that the amendment was legislation and did not necessarily retrench expenditures.

The CHAIRMAN. The Chair is not informed whether the existing law provides for more than one disbursing officer; but suppose, for argument's sake, that it does. The Chair can not say that the necessary effect of the amendment will be to reduce expenses. One disbursing office might have as many officers in it as two disbursing offices would have. The rent for a building for one disbursing office might be as great as the rent for two buildings for two disbursing offices. This amendment does not appear to the Chair to necessarily retrench expenditures, and the point of order is sustained.

On February 16, 1912 (RECORD, p. 2127), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when a point of order was made to a paragraph in the bill, on the ground that it was legislation. After debate, the Chair overruled the point of order, on the ground that while the paragraph contained legislation, it would manifestly retrench expenditures, and was therefore in order under the Holman rule.

The CHAIRMAN. The Chair has already stated somewhat in extenso its opinion of the proper construction of section 2 of Rule XXI. It is impossible, in view of existing law, and having in mind at once the cost of the employees to be replaced and the cost of the employees that will take their places, not to conclude that a reduction will be effected. The amount to be paid to these employees, respectively, is fixed by law. Hence a comparison can be made. This is a constructive piece of legislation which it is competent for the committee to report by virtue of authority given it by Rule XXI under the prescribed conditions. The Chair thinks that it is manifest that this section will effect a retrenchment. The point of order is overruled.

On February 21, 1917 (RECORD, pp. 3823-3825), the House was in Committee of the Whole House on the state of the Union, con-

sidering the Army appropriation bill, when an amendment was offered reducing a total, and proposing the repeal of the nitrate section of the act of 1916. A point of order to this amendment was made, and argued. The Chair held that a motion to reduce a total, coupled with an unrelated legislative proposition would not be in order under the Holman rule, for the manifest reason that the motion to reduce the total was in order without regard to the Holman rule, while the associated legislative proposition did not effect the reduction in the total, and was in no wise related to it. Hence as a part of the amendment was not in order, a point of order directed to the entire amendment was good. The point of order was sustained.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: On page 48, line 2, strike out "$150,000" and insert in lieu thereof the following: "$140,000, and that section 124 of an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, is hereby repealed."

The CHAIRMAN. The amendment submitted by the gentleman from Ohio [Mr. LONGWORTH] contains two parts, one a proposition to reduce the amount appropriated in the bill from $150,000 to $140,000, the other a proposition for the repeal of a section of existing law. It is insisted that this amendment is in order under the Holman rule. The Chair has had occasion heretofore to construe this rule on various occasions, and in these rulings has been disposed to give the rule a liberal interpretation. But this latitude of interpretation has never been extended to mean that a motion to reduce an appropriation, makes in order an unrelated and ungermane proposition of accompanying legislation. The principles announced in the decisions cited do not support the contention that the amendment of the gentleman from Ohio is in order. The motion to reduce the amount appropriated, is in order without regard to the accompanying repealing legislation. It is plain that the reduction will not follow from the proposed legislation. It is in no wise related to it, much less a necessary product of it. It is in order as a separate proposition on its merits, and the fact that it is coupled with unrelated legislation, does not operate to make that legislation in order.

Mr. LONGWORTH. May I interrupt the Chair at that point?

The CHAIRMAN. Certainly.

Mr. LONGWORTH. What would be the necessary result if this nitrate scheme be repealed? Would it not be that the Government would be under less expense investigating this whole proposition and spending money to pay Army engineers' expenses therefor?

The CHAIRMAN. The Chair will proceed to answer the query of the gentleman.

Mr. FIELDS. The engineers doing river and harbor work are not appropriated for in this bill. They are 21 in number, and they are appropriated for under the river and harbor bill, as is stated in the hearings.

The CHAIRMAN. I am asked what would be the effect of the legislative part of the amendment of the gentleman from Ohio, if adopted? The answer is that this repealing amendment, if adopted, would effect a great reduction of general expenditures, but it does not follow therefrom that this legislation will be in order, as an amendment. What is the connection between the two propositions embraced in the amendment? As pointed out heretofore they are unrelated. The precedents require that there must be some necessary relationship between the legislation proposed, and the reduction to be effected in the expenditures comprehended in the bill under consideration. The amount carried in the bill can be reduced by a motion to that effect, which as an independent proposition will be in order. This motion would relate to the expenditures in the bill. But the reduction intended to be effected by the repealing legislation is outside of the bill. The Holman rule requires that amendatory legislation on an appropriation bill must not only effect a retrenchment in the expenditures carried in the bill, but must be germane to the bill. To what language in the paragraph under consideration is the proposed legislation germane? In this connection the Chair will call attention to the language of the paragraph—

For expenses incident to military engineer operations in the field, including the purchase of material, etc., and such expenses as are ordinarily provided for under appropriations for engineer depots, civilian assistants to engineer officers, and "maps, War Department."

How can it be argued that a proposition of legislation which proposes to repeal the nitrate plant section of the act of 1916, is germane to the language cited? It has already been pointed out that an independent proposition of legislation can not by mere association with an unrelated proposition to reduce an item in a bill, be thereby rendered in order. If this proposition of legislation effected the reduction proposed, and was germane to the bill under consideration, it would fall within the principle of the Holman rule, and be in order. Plainly, however, this legislation is neither germane to the paragraph, nor related to the motion to reduce the appropriation in the bill from $150,000 to $140,000. The point of order is sustained.

On June 16, 1916, the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill. Mr. TILSON, of Connecticut, offered an amendment containing legislation, coupled with a reduction of a total. A point of order was made to the amendment. The Chair held that an amendment reducing a total, and including legislation that did not effect this reduction, and was in no wise related to it, was not in order. A proposition of legislation to be in order on an appropriation bill, under the Holman rule, must patently reduce expenditures. This was held not to be true of the legislation in the amendment proposed.

Amendment by Mr. TILSON: Page 12, line 23, strike out "$2,877,000" and insert in lieu thereof the following: "$2,874,500: *Provided*, That hereafter when any officer who has been retired for disability is found by an examining board, to be appointed by the Secretary of War, to be physically and mentally qualified for active service, the President may, in his discretion, reinstate such officer upon the active list as an extra officer, with the rank and relative position he would have held if he had not been retired: *Provided further*, That such officer shall continue as an extra officer only until such time as a vacancy shall occur in his grade and arm of the service, and if again retired for disability he shall be retired with the rank and pay received by him before his retirement."

The CHAIRMAN. Having in mind the possible number of restorations that will reasonably follow upon the enactment of this amendment, and the suggestion of the gentleman from Massachusetts, Mr. Roberts, that an officer who was retired in one rank might be restored in an advanced rank carrying larger pay, it is perfectly clear, to the Chair at least, that it can not be reasonably ascertained that the operation of this amendment will reduce expenditures. The view taken by the Chair is that the crucial test of a proposition submitted under the Holman rule is whether it will effect a retrenchment. In this connection I am referring to the legislative feature of the amendment. The Chair, before holding such a legislative proposition to be in order, must be satisfied to a reasonable certainty that in its working effect it will reduce expenditures. I am not satisfied that a reduction of expenditures will attach to the operation of this amendment. Hence it is not within the rule, and the point of order must be sustained.

Mr. TILSON. Mr. Chairman, one moment. The amendment itself carries a reduction.

The CHAIRMAN. Yes; but the Chair has ruled heretofore that a reduction can not be made a peg on which to hang any sort of unrelated legislation. If the legislation brings about the reduction, that is another situation; but the mere fact that a part of an amendment proposes a reduction in the figures of an appropriation, will not justify accompanying legislation which can not be reasonably regarded as the efficient cause of the reduction. The legislation must be the efficient inducing cause of the reduction.

On March 12, 1918 (CONGRESSIONAL RECORD, p. 3405), the House was in Committee of the Whole House on the state of the Union, considering the legislative bill. Mr. RUCKER of Missouri offered an amendment alleged to be in order under the Holman rule. A point of order was made to the amendment. The Chair sustained the objection holding that it was not clear that the amendment would reduce expenditures.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. RUCKER offers the following amendment: Insert as a new paragraph, following line 6 on page 107, the following:

"Appointment shall not be made to any of the positions herein appropriated for in the classified service of the Patent Office not actually filled June 30, 1918, nor shall more than 25 per cent of other vacancies actually occurring in any grade in the classified service of that bureau, during the fiscal year 1919, be filled by original appointment or promotion. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure, but shall lapse and shall be covered into the Treasury. The provisions of this paragraph shall not apply to any position with a salary of $2,250 or above that sum."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order to the amendment that it is legislation, and that it can not come under the Holman rule, which retrenches expenditures. There are no vacancies in the Patent Office, such as exist in the Pension Bureau, and this is therefore an entirely different proposition.

The CHAIRMAN. The vacancies referred to, as the Chair understands the situation, were of record, and undisputed. The Chair will call attention to the fact that the amendment proposed presents an entirely different situation from the one heretofore ruled upon. It may be very likely, indeed highly probable, in the light of experience, that there will be vacancies during the time to which the amendment relates. But that is a purely speculative proposition. In the case referred to there were actual existing vacancies which could not be filled, provided the paragraph remained in the bill. The retention of that paragraph kept those vacancies from being filled, and that result was, in effect, a reduction of existing employees of the Government, and of official salaries. That reduction brought the paragraph within the benefit of the Holman rule. But the case in hand is, as stated, a speculative proposition. There may be vacancies hereafter arising. It is highly probable that these vacancies will occur, but that is as far as we can go. The Chair can not say that there is a moral certainty that these vacancies will take place, and unless it is a moral certainty that they will occur, thereby taking that occurrence out of the domain of speculation, the amendment proposed will not operate ex proprio vigore, to reduce expenditures. The Chair sustains the point of order.

On January 16, 1913 (RECORD, p. 1635), the House was in Committee of the Whole House on the state of the Union considering the Army bill. An amendment to reduce a total, coupled with unrelated legislation, was submitted. To this amendment a point of order was made. After debate the Chair held that the legislation would not effect a reduction of expenditures, and the amendment therefore was not in order.

The CHAIRMAN. The Chair is prepared to rule. First, in relation to the suggestion of the gentleman from Illinois [Mr. MANN], that the amount covered in this bill will be reduced, it may be said that the suggestion is well taken. The aggregate total is proposed to be reduced by the amount of $2,500. Having this reduction in mind, it is argued that germane legislation sufficient to account for that reduction would be in order. It is true that germane legislation effecting a reduction would be in order. But unrelated legislation can not be attached to figures representing reduction and thereby made in order. An amendment reducing a total does not require the authority of the Holman rule, and hence it can not be used to make in order legislation which is not the necessary and efficient cause of the reduction. Using the reduction in the total as a peg, it is not in order to hang on the same all sorts of unrelated legislation. The reduction must be accounted for by the legislation, and the point that the Chair undertakes to present in this connection is that, after listening to the contention of the participants in this debate, and looking to the amendment, he is unable to perceive that in its necessary operation the amendment will effect the reduction of $2,500, or any portion thereof. If it will not effect this reduction, then it is not in order. If it does account for it, the Chair will hold that the amendment is in order. From the arguments submitted, the Chair understands that the possible effect of this amendment will be to restore an indefinite number of officers to their old pay, or possibly to greater pay, since their grade may be advanced. This may, or may not render the promotions of other officers unnecessary, or reduce the number required. For a time at least they might receive this increased pay without rendering service. It is difficult to see that in its operation as a whole, this amendment will reduce expenditures. In fact its economic operation is altogether problematical. The Chair sustains the point or order.

On January 16, 1913 (RECORD, p. 1645) the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when Mr. COX, of Indiana, offered an amendment reducing a total, coupled with unrelated legislation not effecting a reduction of expenditures.

A point of order was made, and sustained by the Chair.

Amendment by Mr. COX: Amend page 14, by striking out lines 20, 21, 22, and 23, and inserting in lieu thereof the following:

"For mileage to officers, dental surgeons, veterinarians, contract surgeons, pay clerks, and expert accountant, Inspector General's Department, when authorized by law, $392,855: *Provided*, That hereafter all officers of the Army when traveling under orders shall be paid their actual traveling expenses and no more."

The CHAIRMAN. Before ruling the Chairman will make a statement of the essential facts. The principles of the ruling having been heretofore announced, it is unnecessary to restate them.

First, with relation to the reduction in the total amount, it may be stated that an amendment to this effect does not require the Holman rule to make it in order. The gentleman from Indiana can offer an amendment effecting a reduction in any aggregate total without reference to this rule. But in respect to the legislative portion of the amendment, the Chair will say that if the allowance of 7 cents a mile was merely intended to cover the cost of railroad transportation the Pullman charges, tips, and meals on the train, the Chair would not have the slightest hesitation in reaching the conclusion that a provision for actual expenses would necessarily reduce expenses, having reference to common knowledge of the facts of the cost of railway travel.

But another feature is presented. It appears that this allowance of 7 cents a mile is intended to cover expenses other than the cost of travel on railways, tips, Pullman fares and the cost of meals. When the party entitled to this allowance reaches his destination, his expenses for an indefinite period are to be paid out of the same fund. Sometimes the allowance might be more than sufficient to pay the cost of travel and the additional costs accruing at the point of destination. At other times this allowance might be insufficient. Having reference to the aggregate of expenses it is a matter of speculation, whether an allowance of 7 cents a mile, or the payment of actual expenses would be the cheaper policy for the Government. But looking in the hearings to the testimony of one man who ought to have some practical, I might almost say expert knowledge on the subject (I refer to the testimony of Gen. Aleshire), I find that he states that in his judgment, under the policy of paying actual expenses, as compared with an allowance of 7 cents a mile, the Government would be the loser, and the officer the gainer.

Having in mind then all the facts, including the statement of this witness, how can the Chair conclude that this amendment will reasonably and sufficiently operate to reduce expenses? And yet to hold that this amendment is in order the Chair must be reasonably satisfied that the legislative portion of the amendment operating of its own force will effect a reduction of expenditures. This is the whole question as the Chair sees it. So far as the Chair is apprised, this amendment will not necessarily effect a retrenchment. The Chair sustains the point of order to the amendment.

On June 10, 1916, the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when an amendment proposing a comprehensive scheme of legislation was offered to a paragraph in the bill. A point of order was made to the amendment and discussed at length. The Chair held that a paragraph in an appropriation bill, embodying legislation may be perfected by an amendment germane to the legislation in the paragraph, but that additional legislation affording further illegalities was not in order.

The CHAIRMAN. The chief difficulty that the Chair has had in this matter has been the difficulty in arriving at the facts necessary for a decision. The gentleman from Illinois seeks to bring this amendment within the rule relating to perfecting by amendment a paragraph, originally not in order, but which has become in order by the failure to raise the question of order. The existing law which the paragraph in the bill proposes to suspend is as follows:

Not more than one-half of all of the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

The language in lines 8, 9, 10, and 11 of the amending paragraph is intended to suspend the operation of the above-cited law, under certain prescribed conditions. Should the paragraph containing this language remain in the bill, the President in time of actual war, or in an emergency, will have authority to call all of the detailed officers to Washington. An amendment germane to this particular proposition would be one providing, for instance, that some number of detailed officers less than the total might be stationed or employed in or near the District of Columbia. Other germane amendments will naturally suggest themselves. But the amendment of the gentleman from Illinois is not limited to affecting or controlling the number of officers that may be assigned to duty in, or near the District of Columbia. It proposes a comprehensive scheme of legislation in the guise of a perfecting amendment, and falls within the following principle:

To a bill amending a general law on a specific point, an amendment relating to the terms of the law rather than to those of the bill was offered and ruled not to be germane. (5 Hinds, sec. —.)

It also falls within this principle:

A paragraph which proposes legislation in a general appropriation bill being permitted to remain may be perfected by a germane amendment, but this does not permit an amendment which contains additional legislation. (Rules of House, sec. 824.)

Assuredly the amendment of the gentleman from Illinois contains a large amount of additional legislation.

The Chair sustains the point of order, and the Clerk will read.

On February 20, 1917 (RECORD, pp. 3709 to 3711), the House was in Committee of the Whole House on the state of the Union, when Mr. Gardner, of Massachusetts, offered an amendment alleged to perfect a paragraph containing legislation in the bill. A point of order was made against the amendment. After debate the Chair ruled that the amendment of the gentleman from Massachusetts carried a further degree of illegality relating to the body of the paragraph, and was not a germane development of the language proposed to be amended. The point of order was sustained.

Mr. GARDNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARDNER: Page 12, line 2, after the word "section," strike out the quotation marks and insert:

"*Provided*, That hereafter the monthly pay of enlisted men of the Army shall be increased as follows: Master electricians and all others receiving $75, to $85; master engineer, junior grade, Corps of Engineers, from $65 to $75; sergeant, first class, Medical Department, from $50 to $60; first sergeants, from $45 to $65; sergeant, first class, Corps of Engineers, and all others receiving $45, to $55; battalion sergeants major of Infantry, and all others receiving $40, to $50; sergeants of Engineers, and all others receiving $36, to $46; sergeants of Cavalry, Infantry, and Artillery, from $30 to $40; quartermaster sergeants of Cavalry, and all others receiving $30, to $40; corporals of Engineers, Ordnance, Signal Corps, Cavalry, Artillery, and Infantry, from $24 and $21 to $38; chief mechanics, and all others receiving $24, to $34; saddlers, and all others receiving $21, to $31; privates, first class, and all others receiving $18, to $28; privates, second class, and all others receiving $15, to $25."

The CHAIRMAN. The gentleman from Massachusetts, Mr. Gardner, a day or two ago called the attention of the Chair to certain precedents in this connection. These precedents have been duly examined and found to be difficult of reconciliation. The general proposition with which the Members are all familiar, is that a paragraph in a bill which contains matter not in order, is subject to a point of order even though the offending and illegal matter may constitute but a relatively small proportion of the entire paragraph. A point of order is good either against the entire paragraph, or the offending matter. But if the point of order is not made to the paragraph, or offending matter, then the entire paragraph becomes in order. It has been held in the latter case that such a paragraph may be perfected by a germane amendment. (Hinds, vol. 4, secs. 3823–3835, 3838.) Hence the question has often arisen whether these perfecting amendments should be germane to the paragraph as a whole, thereby adding a new and greater proposition of illegality than that contained in the original offending matter, or germane only to this matter which has become in order by reason of the failure to raise the question of illegality. The precedents are conflicting. It has been held that the right to perfect a paragraph which would have been out of order if the question had been raised, by a germane amendment, does not permit an amendment which adds an additional proposition of illegality. (Hinds, vol. 4, secs. 3836, 3837, 3862.)

In other words, the latter precedents require the perfecting amendment to be germane to the original offending language in the paragraph. If the amendments carrying additional legislation are germane to the offending language, they are in order, but not so if they relate rather to the body of the paragraph. This proposition is clearly stated in the following decision:

If a paragraph has been included in a bill which has in it a taint of illegality, that paragraph can be corrected or perfected by an amendment, but if the paragraph which is proposed as an amendment carries a further degree of illegality, affecting the whole paragraph as amended, then it is not in order.

The offending matter in the paragraph under consideration is contained in these words:

As expert first-class gunners, Field Artillery, $5 per month.

It can hardly be said that the amendment offered by the gentleman from Massachusetts is germane to this language, and designed to perfect it. This being so, the Chair holds that a new and comprehensive proposition of illegality is sought to be added to the paragraph by the proposed amendment. For this reason, and in conformity with the precedents cited, the Chair sustains the point of order.

On May 21, 1918 (CONGRESSIONAL RECORD, p. 6868), the House was in Committee of the Whole House on the state of the Union considering the bill relating to food production. The gentleman from California [Mr. RANDALL] offered an amendment inhibiting for the time prescribed therein the use of food or food materials in the manufacture or preparation of alcoholic beverages. A point of order was made to the amendment on the ground that it was not germane. After debate the point of order was sustained. The ruling and colloquy follow:

The CHAIRMAN. In order that the situation may be clearly apprehended by members of the committee, the Chair will read, first, the language of the paragraph, and then the language of the proposed amendment. The language of the paragraph is:

Fourth. For increasing food production and eliminating waste and promoting conservation of food by education and demonstrational methods, through county, district, and urban agents and others, $6,100,000.

The amendment proposed by the gentleman from California [Mr. RANDALL] is in the following words:

That in order to further eliminate waste and to promote conservation of food, it shall be unlawful, during the existence of the war with Germany, to use any food or food materials in the manufacture or preparation of alcoholic beverages.

In order to ascertain whether or not this amendment is germane to the paragraph, it becomes necessary to determine the purport, and effect of the matter proposed to be amended. If the paragraph had concluded with the word "food" in line 25, so that it would read as follows:

For increasing food production and eliminating waste and promoting conservation of food, $6,100,000—

there would be no doubt in the mind of any member of the committee that the amendment would be absolutely in order. But that is not the paragraph. The paragraph in its entirety proposes to increase food production, eliminate waste, and promote conservation of food by certain indicated processes, namely, by, educational and demonstrational methods, through county, district and urban agents. In other words, lecturers are to be sent out to instruct the public with respect to their farming activities, and the household arts so that in the result production will be increased, waste will be eliminated, and food will be conserved. If it was proposed by the amendment that some of the money which is appropriated should be utilized in the employment of agents to instruct the public in the folly of converting food products into alcoholic beverages for public consumption, such an amendment would be in order, and in perfect harmony with the avowed purposes of the paragraph. It would come within the manifest scope and intent of this particular portion of the bill. But that is not what is intended to be effected by the amendment. The amendment does not provide for the education of the public, or for demonstrational methods in order to convince them of the folly of utilizing food products to produce alcoholic drinks, but to absolutely inhibit the use of such products for alcoholic conversion.

Mr. CARAWAY. Mr. Chairman, will the Chair permit an interruption?

The CHAIRMAN. Certainly.

Mr. CARAWAY. I am inclined to think the Chairman overlooked the fact that the paragraph goes further than he says. It reads:

For increasing food production and eliminating waste and promoting conservation of food by educational and demonstrational methods, through county, district, and urban agents and others.

Just what "others" means there may be a little uncertain. There is one thing certain, and that is that you can not say that it refers to other agents, because the language used is "through county, district, and urban agents," which would include all classes of agents. It means other methods. Then, if the Chair will pardon me a moment, the very fact that it enumerates the methods by which these proposed conservations of food should be attained, namely, by educational methods, does not preclude its accomplishment by other and similar means and other agencies. For an instance, the rule is, if you authorize the construction of one public building, we will say, in New York City, that will be restricted to New York City, and, according to the Chairman's construction, will preclude an amendment constructing buildings elsewhere; but if you have a bill for the construction of public buildings in New York City and Cincinnati, we might add 40 other places, because the general proposition is to construct public buildings, and the place has nothing to do with it. The general proposition of this paragraph is to conserve food and prevent waste, and therefore, because it says by educational and demonstrational methods, does not preclude other methods that may be used to accomplish the same results.

The CHAIRMAN. If the paragraph carried the meaning suggested by the gentleman from Arkansas [Mr. CARAWAY], then of course the relevancy, or the germaneness of the amendment would be apparent. But the Chair does not think that it can be successfully maintained that the chief purpose of this paragraph is to increase food production, eliminate waste and promote the conservation of food. If that was the chief purpose of the paragraph, then it would end with the word "food" in line 25, thereby rendering possible an infinite variety of methods to accomplish the purposes indicated. Eliminate the words providing the methods by which production is to be increased, waste eliminated, and food is to be conserved, and the amendment of the gentleman from California would be plainly germane and in order. But the committee evidently did not intend that the department should have free rein to accomplish the results in-

tended, and secure the elimination of waste by any means that seemed good to them. Hence the use of the restrictive language confining the activities of the department to certain indicated lines of accomplishment. The plain meaning of the paragraph is to provide the means whereby the results intended may be secured along certain restricted lines of endeavor. The Agricultural Department is "cabin'd, cribbed, and confined," so to say, to the restricted paths of activity marked out for it to pursue.

As to the suggested meaning of the word "others," it occurs to the Chair that this word ought to be interpreted to mean "other educational and demonstrational methods," in view of the general meaning of the paragraph. For instance bulletins might be sent out. It is perfectly true that a general subject may be amended by a specific subject of the same character, but the amendment of the gentleman from California is not a specific subject of this general subject. This amendment does not propose to eliminate waste, to increase food products, or to promote conservation by any educational process, but is a flat legislative inhibition upon certain practices. Therefore it is not a specific subject of the same character as the general subject. The general subject is to increase food production, and so forth, by educational and demonstrational methods.

Mr. CARAWAY. Will the Chair permit me to interrupt him again?

The CHAIRMAN. Certainly.

Mr. CARAWAY. I feel very certain the Chair is mistaken about the purpose of the paragraph. The sole purpose of the paragraph is "for increasing food production and eliminating waste and promoting conservation of food." Now, that is the intent, purpose, and object of the legislation. The method by which it is to be done as set out here is "by educational and demonstrational methods, through county, district, and urban agents, and others." But the whole object and intent to be accomplished by the legislation is that of conserving food and preventing waste, and it merely directs here by what particular way it may be done; and that being true, it becomes apparent you can add any other similar method to accomplish the same result.

The CHAIRMAN. The Chair can not agree with the gentleman from Arkansas in that view of the paragraph. The methods indicated are not illustrative of what may be done, but are restrictive, confining the expenditure of the money appropriated to them, and them only. The department could not expend this money otherwise than as indicated, namely on educational and demonstrational methods. The suggestion has been made that certain legislation in this bill has been made in order by the rule, and that this amendment would be in order to this legislation. In this connection the Chair will say that if there is any legislation in this bill, made in order by the rule, to which this amendment would be relevant and germane, then the amendment can be offered when that legislation is reached, and it will then be in order. This matter has been very earnestly argued by gentlemen who have taken a different view of the meaning of the paragraph from that held by the Chair. If their interpretation of the paragraph is correct, then the Chair will admit that the amendment is in order. Hence the propriety of the ruling on this point depends upon the meaning proper to be imputed to the paragraph. In that view it might be well to take an appeal from the decision of the Chair so as to afford the opportunity for full discussion of the paragraph on the appeal, and thereby secure an authoritative disposition of this question by the committee itself. The Chair has sought to set out in full the reasons for the conclusion reached, and in view of that conclusion is constrained to sustain the point of order.

On March 14, 1918 (CONGRESSIONAL RECORD, pp. 3514 to 3515), the House was in Committee of the Whole House on the state of the Union considering the legislative bill. The gentleman from Illinois [Mr. MADDEN] offered an amendment proposing legislation. A point of order was made on this ground, and the further ground that it was not germane.

The Chair held that the amendment did not confine itself to perfecting the matter contained in the bill, but afforded new, and additional illegalities. The amendment was held out of order.

Mr, MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 1, after the word "that," insert the word "hereafter"; and after the word "received," on the fifth line, page 1, strike out all down to and including the word "annum," on line 7, and insert the following: "$120 per annum in addition to the basic salary for the fiscal year 1919."

Mr. BYRNS of Tennessee. Mr. Chairman, I make a point of order on the amendment.

Mr. MADDEN. I maintain, Mr. Chairman, that it is not subject to a point of order. If the gentleman from Tennessee wants to state the ground of his point of order, I will yield to him.

Mr. BYRNS of Tennessee. My point of order is based on the ground that the amendment provides for employees of the Government during the fiscal year 1919. The amendment offered by the gentleman from Illinois undertakes to make it permanent law. In addition, I do not think the proposed amendment is germane.

The CHAIRMAN. This matter stands as follows: The committee might have reported the amendment now under consideration, as a part of the legislative bill. In that event this matter would have been subject to a point of order, and once made, the point of order would have been sustained, and the offending matter stricken from the bill. But suppose this point of order had not been made. Then the paragraph would have remained in the bill, subject to amendment under the rules. One of these rules is that when offending matter is allowed to remain in a bill, it is then in order to perfect that matter, by appropriate, germane amendments. But that rule does not mean, and should never be held to mean, that the presence of illegal matter in a paragraph of an appropriation bill, thereby makes in order any amendment to the paragraph, however much that amendment may increase the original illegality or however far it falls short of being a perfecting amendment. On the contrary, the rule is well established, and the Chair referred to the precedents a few days ago, that while it is in order to amend a paragraph and perfect the otherwise illegal matter by germane amendments, these amendments must not add new and additional illegalities.

Mr. MADDEN. Will the Chair indulge me for a moment?

The CHAIRMAN. Certainly.

Mr. MADDEN. Would the Chair then hold that it would be improper to move to strike out the item that I am seeking to amend?

The CHAIRMAN. Not at all. Such a motion would be perfectly in order. The Chair was on the point of illustrating the situation, by reference to the amendment offered by the gentleman from Illinois. What does this amendment propose to do? Not to perfect the matter contained in the committee amendment, but to add a new element of illegality. It would be in order for the gentleman to move to strike out the paragraph. It would also be in order for him to move to increase the amounts proposed to be paid to the clerks. The precise respect in which this amendment is out of order does not consist in the fact that it proposes to increase the compensation of certain indicated clerks, beyond the limits fixed by law. It would be entirely in order to deal with that situation, by an amendment to increase or diminish the amounts proposed to be paid, or by a motion to strike out the paragraph or by some other germane amendment, but that is not what the amendment of the gentleman from Illinois undertakes to do. It proposes to make this increase permanent law, thereby adding a new and large element of illegality to the paragraph. This addition of a new element of illegality in the way of legislation can not be fairly construed as a germane, perfecting amendment of the paragraph. The precedents appropriate to this ruling have been heretofore cited in another decision.

For the reasons given the Chair is clearly of the opinion that the amendment is out of order. The point of order is sustained.

On September 19, 1918 (CONGRESSIONAL RECORD, p. 10510), the House was in Committee of the Whole House on the state of the Union, considering the revenue bill, when the gentleman from Pennsylvania [Mr. MOORE] offered an amendment alleged to be in order, on the ground that it proposed to raise revenue. A point of order was made to the amendment on the ground that the amendment was not germane, since it proposed to raise revenue in a fashion totally different from any method provided in the bill. Hence the amendment was not germane to any item in the bill, or to the subject matter in the bill. After argument the Chair sustained the point of order.

The CHAIRMAN. The ruling in this case depends upon the construction of subsection 3, of Rule XXI, and its application to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE]. This subsection is to the following effect:

That no amendment shall be in order to a bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment be in order to an item in the bill unless the amendment is directly related to such item.

The gentleman from Pennsylvania [Mr. MOORE] in arguing this matter suggests, if the Chair understands his argument correctly, that his amendment is in order because this is a bill to raise revenue, and his amendment proposes to raise revenue.

Whether the amendment of the gentleman from Pennsylvania is in order or not must be determined by reference to the positive rules of the House relating to amendments to a revenue bill. Manifestly the intent or purpose of a bill is a very different thing from the subject matter in the bill. The intent of this bill is to raise revenue. There is nothing in the subsection of the rule which the Chair has cited which refers in any wise to the intent or purpose of a bill. The subject matter in a bill is the aggregate of the different items which under the rates proposed and the legislation provided, will raise the revenue required and thereby make effectual the intent of the bill. If the gentleman's amendment is considered to be in order on the ground suggested, namely that this is a revenue bill, then there is no amendment proposing to raise revenue that would not be in order. This bill provides a tax on livery boots. Leather enters into the making of livery boots. Is it conceivable that because an item in the bill taxes boots made of leather, an amendment would be in order establishing a tariff duty on the importation of hides, of which leather is made? Another item provides for a tax on candy. Sugar is a large element in candy. Would it be argued that if this was the only reference to sugar in the bill it would be in order to impose an excise tax on sugar? Another item in the bill taxes adding machines. Iron enters into the manufacture of adding machines. Because the bill taxes a manufactured product that contains iron as a component material, would an amendment be in order taxing pig iron, or iron ore in its natural state? Yet the argument would be the same for all of these amendments, as for the amendment of the gentleman from Pennsylvania, since they all propose to raise revenue.

The Chair is not concerned with the merits of this proposition, and accepts in this connection the suggestion made by the gentleman from Georgia [Mr. CRISP] that the question under consideration is merely one of order. A rule may be wise, or it may be unwise. A rule may limit the powers of the House, or of the committee, but if it plainly states its purpose, if its meaning is clear, then the fact that it limits the power of the House, or of the committee to deal with some particular subject matter is no concern of the Chair, which is interested only in arriving at the true meaning of the rule. Many rules are avowedly for the very purpose of limiting the House in dealing with the subject matters under consideration, in order that the House may legislate sanely and conservatively. Such a rule, and one with which we have frequent experience, is the one prohibiting legislation on an appropriation bill. That rule limits immensely the powers of the Committee of the Whole, and of the House; yet it is accepted as a just and wise rule, although in many instances the House is confronted with situations in which, but for the express limitation of this rule, it would add wholesome legislation to an appropriation bill.

There have been many decisions on this point, so that it is not necessary for the Chair to elaborate this ruling to any great extent. The decision cited by the gentleman from Georgia is precisely in point. There is no difference whatever between the facts in the case cited and the facts of the case under present consideration. The decision of the Chairman in that case sustained the point of order, and that decision on appeal was sustained by a vote of the committee. Another ruling in point, was by Mr. Speaker CLARK on a motion to recommit a tariff bill with instructions to report the same with an amendment providing for a tariff commission. The motion was elaborately argued, and the Speaker made a most elaborate ruling, pointing out that the subject matter in the bill was an aggregate of items subjected to tariff taxation, while the amendment proposed to create a commission to collect information in relation to tariffs. The amendment proposed to deal with the tariff in an entirely different manner from that contained in the bill, and it was held to be nongermane and out of order. The ruling of the Speaker was sustained on appeal. In this connection the Chair will also cite the elaborate ruling of Chairman ALEXANDER found in the Manual under the heading of "Important Rulings." The rulings on the point raised by the gentleman from Georgia, as stated a moment ago, are very numerous. This is not a question of first impression. Hence it is hardly necessary for the Chair to elaborate any further the reasons why he holds in conformity with the precedents that this particular amendment is not germane to the subject matter in the bill, nor does it directly relate to any item in the bill.

The Chair, however, does not suppose that the amendment is offered upon the theory that it directly relates to an item in the bill, since no citation has been made of such item. It is not germane to the subject matter in the bill, since there is nothing in the bill resembling the subject matter of this particular amendment. The Chair, therefore, sustains the point of order.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10510 to 10511), the House was in the Committee of the Whole House on the state of the Union considering the revenue bill, when the gentleman from Iowa [Mr. GREEN] offered an amendment relating to the products of industrial plants employing children of certain ages. A point of order was made to the amendment. After discussion the Chair ruled that the amendment was not germane to the subject matter in the bill, or to any item in the bill. The point of order was sustained.

The CHAIRMAN. The Clerk will now report the amendment of the gentleman from Iowa.

The Clerk read as follows:

Amendment by Mr. GREEN of Iowa: Page 129, after line 22, insert a new subdivision, as follows:

"(27) Articles or commodities, the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment within the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day, or more than six days in any week, or after the hour of 6 o'clock post meridian during any portion of the taxable year, 5 per cent."

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GREEN of Iowa. I would like to be heard very briefly. I do not think that the ruling which has just been made with reference to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] is controlling upon this amendment which I have offered. The Chair will observe that this is an amendment not to a particular item or a particular paragraph, but is an amendment to section 9, which imposes a tax to be paid by manufacturers upon certain products. Different items are therein specified. It is true that this adds one other item. It extends the list, but it simply adds one of a class without extending the class. It is unquestionably germane to this particular title, and I do not think it comes within the inhibition of Rule XXI, which was cited by the gentleman from Georgia [Mr. CRISP]. The question is, What manufactured goods shall be the subject of tax? The amendment relates back to the very opening of this title specifying the taxation of certain goods and adds one more. At the time of the reciprocity bill, when the gentleman from Kentucky [Mr. SHERLEY] was in the chair, there was added to the bill in the same way, in relation to items which were included in the free list, a number of different articles. The Chair overruled the point of order against their inclusion. I think that the ruling of the Chair heretofore made is not decisive upon the particular amendment which I have offered and that the point of order ought to be overruled.

The CHAIRMAN. The Chair recalls the ruling made by the gentleman from Kentucky [Mr. SHERLEY] and cited by the gentleman from Iowa [Mr. GREEN]. However the decisions which the Chair cited this morning in connection with the ruling then announced, were made subsequent to the ruling of the gentleman from Kentucky [Mr. SHERLEY], and if that ruling and the rulings cited by the Chair are supposed to be in conflict, the latter will be regarded as overruling the lone contrary decision. The Chair has examined the amendment, and comparing it with the bill does not find in the body of the bill any paragraph in which the subject matter is proposed to be dealt with in a manner in any wise resembling the manner in which this amendment proposes to deal with and dispose of the subject matters to which it relates.

This being so, the Chair does not see how under the rulings that have been heretofore made, this amendment can be regarded as germane to the subject matter in the bill. If it is considered to be germane to any item in the bill the Chair has not been cited to that item.

Mr. GREEN of Iowa. If the Chair will pardon me just a moment, the preceding paragraph refers to a large number of manufactured articles. Now, I do not see how the Chair can determine whether or not those articles have been manufactured by child labor.

The CHAIRMAN. The Chair does not undertake so to determine. The bill puts a tax on those articles but the amendment specifically proposes to deal with the same in a very different fashion from that proposed by the bill. If the Chair is correct in his former ruling, he does not see how this amendment can be in order. The Chair sustains the point of order.

On March 15, 1918 (CONGRESSIONAL RECORD, pp. 3562 to 3563), the House was in the Committee of the Whole House on the state of the Union, considering the legislative bill, when the gentleman from New York [Mr. LUNN] offered an amendment as a limitation. A point of order was made to the amendment. The Chair held that the amendment was not a limitation on the appropriation, but legislation in the form of a limitation. Further, that it

did not appear that it would effect a retrenchment, and hence was not in order under the Holman rule. The point of order was sustained.

The CHAIRMAN. The gentleman from New York offers a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute amendment offered by Mr. LUNN: "No part of any amount herein appropriated shall be used to pay salaries or for personal services in any executive department, bureau, or office of the United States which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day: *Provided*, That the foregoing limitations shall not apply to employees in any bureau or establishment where such employees are not paid time and one-half for overtime."

Mr. BORLAND. Mr. Chairman, I make a point of order on that. It provides for the method of payment of the employees of the United States. It is really legislation, and not germane to the amendment. It is not a limitation on the appropriation.

The CHAIRMAN. The Chair asked for a discussion of the point of order, because he was somewhat in doubt as to the ruling proper to be made. The substitute of the gentleman from New York [Mr. LUNN], is offered to the Borland amendment, and it is insisted that it is in order as a limitation. This question of limitation under the rules of the House, is frequently misapprehended, and amendments offered as limitations, are often not limitations at all, under our precedents. This substitute is presented as a limitation, and therefore presumed to be in order. But the Borland amendment is really not a limitation on an appropriation bill. It is in substance, legislation on an appropriation bill, and would be out of order, but for the Holman rule. It is cast in the form of a limitation, but in essence it requires the executive departments to which it relates to maintain an eight-hour system. But since the effect of the Borland amendment is to secure a larger return of work to the Government for the amount of money expended that would otherwise be paid for a less return of work, it effects a retrenchment of Government expenditures, and is therefore in order. The Borland amendment is something more than a negative prohibition on the use of moneys. In this connection, in order that the nature of a limitation may be more perfectly apprehended, it will be well to cite some of the precedents.

Legislation may not be proposed in the form of a limitation. (4 Hinds, sec. 3931.)

The House by limitation on a general appropriation bill may provide that no part of an appropriation shall be used for a certain purpose. (4 Hinds, 3917.)

This is upon the theory that the House may deny an appropriation for a purpose authorized by law. It is not in order to legislate as to the qualifications of the recipients of an appropriation, but the House can specify that no part of an appropriation shall go to recipients lacking certain qualifications. (4 Hinds, sec. 3942.)

A limitation is negative in its nature. (4 Hinds, sec. 3955.)

The limitation must be upon the appropriation and not an affirmative limitation of official functions. (4 Hinds, sec. 3957.)

A limitation must not include positive enactments establishing rules for executive officers. (4 Hinds, sec. 3967.)

The limitation permitted on a general appropriation bill must in effect be a negative prohibition on the use of money, not an affirmative direction to an executive officer. (4 Hinds, sec. 3974.)

Now the Borland amendment provides that the salaries afforded by the committee amendment shall not be paid to the clerks in any executive department, bureau, or office of the United States which does not require eight hours of labor a day. It does not relate to recipients lacking certain qualifications, but to hours of work required by departments, bureaus, and offices of the United States. Even if the department or bureau has authority under law to work its employees less than eight hours a day, this amendment in substance says to such a department, you must work your employees for as much as eight hours a day in order to enjoy the benefit of the appropriation, designed for the payment of employees. The objection that this amendment, is in effect legislation, is cured as noted above by the fact that the increased return in work secured by requiring the employees to work for eight hours a day, instead of seven and a half as formerly, but at the same compensation, will operate a reduction of expenditures, thereby bringing the amendment within the saving effect of the Holman rule. But what will be the effect of the substitute?

The substitute in substance provides that the Borland amendment shall not apply to any department, bureau or office, where the clerks are working for eight hours, or less than eight hours, with no provision for pay for overtime work. Hence in all such departments, bureaus and offices, the clerks will receive the compensation provided by the committee amendment. The substitute further provides that in those departments, bureaus and offices, where the clerks work eight hours, and are paid time and a half for overtime, the Borland amendment shall apply, that is that the employees in such bureaus, departments, and offices, shall also receive the compensation provided by the committee amendment. In this view of the effect of the substitute which is to replace the Borland amendment, how can it be argued that the substitute which is legislation, will reduce expenditures? If it will not operate ex proprio vigore, to reduce expenditures, then it is not in order. The substitute must be considered with reference to its operation, meaning, and effect, as a whole. In the opinion of the Chair, the substitute is legislation. It is not shown that it will effect a retrenchment. Hence it is not within the Holman rule. Further the Chair does not think that the substitute can be regarded as a pure limitation. For the reasons given, the point of order to the substitute is sustained.

On March 15, 1912, the House was in Committee of the Whole House on the state of the Union considering the Army appropriation bill, when the gentleman from Pennsylvania offered an amendment. A point of order was made to the amendment. The Chair held that the amendment was a limitation of authority and therefore legislation. Hence it was out of order.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the close of line 13 the following:

"That from and after the passage of this act it shall not be lawful for any department or bureau of the United States to sell any arms of any kind, manufactured or acquired by such department or bureau for naval or military purposes, except as hereinafter provided: *And provided further*, That whenever any arms of any kind intended for naval or military purposes shall be condemned by any department or bureau of the United States, or shall become unfit for official use by such department or bureau, they shall be so broken or otherwise mutilated as to render them harmless as instruments of warfare or violence, and only when so broken or mutilated shall they be sold or disposed of by any such department or bureau."

Mr. HAY. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The amendment is not a limitation on expenditures, but a limitation of authority, and an affirmative direction. The point of order is sustained.

On April 29, 1918 (CONGRESSIONAL RECORD, p. 5790), the House was in Committee of the Whole House on the state of the Union, considering H. R. 11259, when the Chairman made the following ruling affecting the relative rights to the floor of a Member who has been recognized to speak to a motion to strike out a paragraph, and of another Member asking preferential recognition on the ground that he wished to submit an amendment to perfect the paragraph. The Chair ruled that the Member who had been recognized could not be taken from the floor, but that the perfecting amendments could be offered later and would be submitted to be voted upon by the committee before the motion to strike out.

The CHAIRMAN. The Chair wishes to make a statement as to a matter which seems to be somewhat misapprehended. The impression seems to prevail that anyone offering an amendment to perfect the text, has a preferential right to the floor as against some one else who has been recognized on a motion to strike out the section. That is a mistake. No one seeking to offer a perfecting amendment has a right to recognition as against another who has been recognized and is speaking to a motion to strike out the section, or paragraph proposed to be perfected. There is a relation of priority in this connection, but it relates to the order in which the motions shall be submitted. No one who has obtained the floor on a motion to strike out a section, can be taken from the floor by another Member seeking to offer an amendment to perfect the text. The Member offering an amendment to strike out has a right to proceed with his argument to conclusion, and then before his motion is put, if some one else wishes to offer a perfecting amendment, he can be recognized to submit, and speak to the same. Two amendments will then be pending, but under the rules, the perfecting amendment must be put before the amendment to strike out. The Chair makes this statement because there seems to be a misapprehension in this connection as to the relative rights to the floor of members of the committee.

On June 10, 1916, the House was in Committee of the Whole House on the state of the Union, considering the alien immigration bill. A point of order was made against general discussion under a motion to strike out the last word. The Chair held that debate under a pro forma motion was a convention, and upon objection, the Member having the floor must confine his remarks to the amendment.

Mr. CLARK of Florida. I make the point of order, Mr. Chairman, that it is not permissible to discuss a pro forma amendment in opposition.

The CHAIRMAN (Mr. SAUNDERS of Virginia). Of course, the motion to strike out the last word, and the debate on it pro and con are matters of convention. If the rule of debate is insisted upon, the mover of an amendment in the Committee of the Whole must confine his remarks to the amendment.

On February 21, 1917 (CONGRESSIONAL RECORD, pp. 3817 to 3818), the House was in Committee of the Whole House on the state of the Union, considering the Army appropriation bill, when the gentleman from California [Mr. KAHN] offered an amendment for the maintenance of military post roads, bridges, and trails in Alaska. A point of order was made to the amendment. The Chair ruled that upon the facts the amendment did not fall within the principle relating to making appropriations to a work in progress. The point of order was sustained.

Mr. KAHN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Line 21, page 38, insert the following:
"Protection, repair, and maintenance of military post roads, bridges, trails, Alaska: For the completion, repair, and maintenance of military post roads, bridges, and trails, Territory of Alaska, $500,000."

The CHAIRMAN. The Chair for the purpose of ruling will accept the statement of the facts of this case made by the gentleman from California. This amendment is of course an attempt to apply the principle that appropriations may be made to a work in progress, to this scheme of proposed roads.

Mr. KAHN. Yes.

The CHAIRMAN. In the first place, the Chair will say that there has been a tendency to narrow the application of that principle. But entirely apart from that tendency, the committee which proposes to appropriate for a work in progress should have some original authority in that connection. This authority is entirely lacking in this committee in the present connection. If there is any authority anywhere to appropriate for these roads, as a work in progress, that authority is not found in this committee. Under the act which the Chair has read, this committee is not authorized to make appropriations for the Alaskan roads. A special fund for the construction of these roads is provided in the Alaskan act. That provision does give the right to this committee, either by virtue of the principle of a work in progress, or on any other ground, to appropriate for the roads in question?

Mr. MONDELL. Mr. Chairman, will the Chair yield to me there?

The CHAIRMAN. Certainly.

Mr. MONDELL. There is a certain law referred to under which roads may be built in Alaska out of the Alaskan fund, but the existence of that statute does not prevent the Government from entering upon the work of building some roads in Alaska, contemplated under that act, by direct appropriation. Congress began this two or three years ago.

The CHAIRMAN. The Chair a moment ago referred to the tendency to limit the application of the principle of making appropriations for work already in progress. In that connection I desire to read a citation which has just been handed to me:

But later decisions, in view of the indefinite extent of the practice made possible by the early decisions, have ruled out propositions to appropriate for new buildings in navy yards.

What could be a larger application of this principle than to hold that if this board has outlined a large scheme of road construction in Alaska, and done some work here and there in connection with the same, this committee, or any committee, is thereby authorized to appropriate the funds necessary to complete every road contemplated by that scheme, or project?

In section 29 of the act which the Chair has cited, may be found an elaborate provision for road construction in Alaska by a board to be composed of an engineer officer of the United States, two other officers, and so on. At the conclusion of that section it is specifically stated that the cost and expense of laying out, constructing, and repairing these roads and trails in the Territory shall be paid by the disbursing officer out of the "roads and trails" portion of the Alaskan fund. The Chair thinks that the point of order directed to this paragraph is well taken, and it is therefore sustained.

On March 13, 1918 (CONGRESSIONAL RECORD, p. 3456), the legislative appropriation bill was under consideration in the Committee of the Whole House on the state of the Union. Mr. LONDON, of New York, offered an amendment to investigate the subject of insurance against unemployment. To this amendment Mr. BYRNS of Tennessee made a point of order. After argument the Chairman held that in effect the amendment construed existing law and was therefore legislation not authorized on an appropriation bill. The Chair sustained the point of order.

The Clerk read as follows:

Amendment by Mr. LONDON: Page 146, line 70, insert as a new paragraph the following:
"To investigate the subject of insurance against unemployment, the sum of $50,000."

Mr. BRYNS of Tennessee. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Upon reflection the Chair is disposed to think that the organic act might be fairly construed by the Bureau of Labor to empower it to investigate the subject proposed in the amendment, if a lump-sum appropriation was made. But this would be a conclusion that the bureau would draw from the general terms used in the act. This amendment appropriating the sum indicated and directing that it shall be used for the investigation mentioned is an interpretation of the organic act. An amendment construing or interpreting an act is legislation. Legislation on an appropriation bill is forbidden. The point of order is sustained.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10516 to 10519), the House was in Committee of the Whole House on the state of the Union, considering the revenue bill, when Mr. BORLAND, of Missouri, offered an amendment to a paragraph in the bill. A point of order was made to the amendment, but was overruled. It was then sought to make a point of order to the paragraph. The Chair ruled after debate, that when a paragraph is read, and no point of order is made, and an amendment is offered to the paragraph, and a point of order made to the amendment, and overruled, it is too late thereafter to direct a point of order to the paragraph.

Mr. BORLAND. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 170, line 13, strike out all after the word "Senate," strike out all the rest of line 13 and lines 14, 15, 16, and 17, and insert in lieu thereof the following: "The members of the board first appointed shall be appointed for terms of one, two, three, four, and five years, respectively, and thereafter the term of each member shall be five years."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MADDEN. Mr. Chairman, I make the point of order on the amendment offered by the gentleman from Missouri.

The CHAIRMAN. The gentleman from Illinois makes the point of order.

Mr. BORLAND. What is the point of order?

Mr. MADDEN. My point of order is that the provision of the bill following the word "Senate," which the gentleman seems to wish to strike out, makes the board temporary, and the gentleman is seeking to make a permanent board out of what is proposed to be a temporary one.

Mr. BORLAND. Mr. Chairman, the gentleman's point of order is not well taken. The board, according to the present scheme of the law there, is appointed at the pleasure of the President. The following paragraph says that any member may be subject to removal by the President. The gentleman's point of order is not well taken. My opinion is that the whole section creating an advisory tax board may be subject to a point of order. But if so a germane amendment to a section which otherwise would be subject to a point of order would thus not be subject to a point of order. I submit to the Chair that defining the terms of these officers who are now appointed by will is a germane amendment, and is perfectly germane to the purposes of the section, and not subject to the point of order.

The CHAIRMAN. The effect of the amendment seems to be to enlarge the term of office of the appointees under this section, but it does not occur to the Chair there is any reason why it is not in order for this to be done by an amendment which is germane. This commission and their terms are established by the bill. The amendment proposes to change the terms.

Mr. MADDEN. Mr. Chairman, I make a point of order against the paragraph.

Mr. BORLAND. Mr. Chairman, I submit the point of order comes too late, because I was recognized to perfect the paragraph by offering an amendment, which I did offer.

The CHAIRMAN. The gentleman can not direct a point of order against the entire paragraph after an amendment has been offered.

Mr. WALSH. Debate had not begun. The fact that an amendment was offered does not debar making a point of order against the entire paragraph. The rules say "after debate has begun."

The CHAIRMAN. That means that after the paragraph has been read and opportunity given to make or reserve a point of

order. This opportunity must be afforded, and if not availed of, then it is too late thereafter to raise the question of order. In this case the opportunity was given, because the point of order to the paragraph could have been made before the gentleman from Missouri offered his amendment.

Mr. WALSH. Debate could not begin when the point of order was made against the amendment that was offered.

The CHAIRMAN. To the paragraph?

Mr. WALSH. Yes.

The CHAIRMAN. The paragraph was read. It was then before the House and open first for a point of order, and then for amendment. Anyone making, or reserving a point of order would have been entitled to prior recognition to the gentleman from Missouri. No one made a point of order to the paragraph. Hence the gentleman from Missouri, asking recognition to offer an amendment, was in order. He was recognized, and submitted an amendment to the paragraph to which a point of order was directed.

Mr. MADDEN. I maintain the point of order will lie until debate has begun on the paragraph. No debate having been had on the paragraph, the gentleman from Missouri [Mr. BORLAND] having offered an amendment to which a point of order was made, notwithstanding that point of order was overruled, the paragraph is still pending without debate, and the question is whether it is subject to a point of order or not on its merits. That is the only question that is pending now.

The CHAIRMAN. The Chair does not understand that this has been the practice of the House at all.

Mr. MADDEN. The Chair is supreme here unless overruled.

The CHAIRMAN. The Chair has no pride of opinion about this matter whatever. If the practice of the House has been to the contrary of his ruling the Chair will be glad to be advised of it.

Mr. MADDEN. I think there is no doubt about what the practice of the House has been.

The CHAIRMAN. The Chair will be glad to be cited to any rule, or precedent contrary to his ruling. With the consent of the committee the Chair will state precisely what has taken place. The paragraph was read, and was then open to a point of order, or reservation of a point of order. No one rose to make or reserve a point of order. Thereupon an amendment was offered to the paragraph. A point of order was made to this amendment, and overruled. A point of order was then sought to be made to the paragraph proposed to be amended, and the Chair ruled that this motion was too late. That is the understanding of the Chair of what has taken place in this connection.

Mr. MADDEN. Will the Chair allow me to ask him a question?

The CHAIRMAN. Certainly.

Mr. MADDEN. Does the Chair maintain, because an amendment was offered to which a point of order was made, it leaves the paragraph in any other situation than it would have been if no amendment had been offered?

The CHAIRMAN. The Chair maintains that after a paragraph has been read in due course, and opportunity thereby given, to make, or reserve a point of order, and neither is made, it is too late to make a point of order to the paragraph after an amendment has been submitted. There are many Members of the House now present, who are experienced parliamentarians and the Chair will be glad to hear from them in this connection, whether in their opinion the ruling just made, is erroneous, and further whether upon the state of facts cited, a point of order could be made to the paragraph proposed to be amended.

Mr. GARRETT of Tennessee. I think if my friend from Illinois will think of it for a moment, there is nothing wrong with the Chair's reasoning on this proposition. A point of order was made to an amendment to the paragraph. Business had intervened. The gentleman from Massachusetts [Mr. WALSH] shakes his head. He wishes to limit it to a technical proposition as to debate. But the gentleman must realize that where business had not intervened, the point of order was made before any amendment had been made to it.

Mr. MADDEN. The rule does not make any such construction as that at all. It simply says that the point of order must be made before debate is begun. Now, no debate has been had. That is what the rule says—not before an amendment has been offered but before debate has begun.

Mr. GARRETT of Tennessee. Why, Mr. Chairman, if that should be the rule of the House or the practice of the House, then it would result in always doing just exactly what has occurred at this time.

The gentleman from Illinois is not opposed to the original proposition, I assume; at least he did not interpose the point of order to it. He waits. Now a proposition is passed to which he is opposed and to which I am opposed and to which a majority of this House, I apprehend, will be opposed. But the gentleman can not then, in order to defeat that, interpose a point of order against the proposition that had already been read and passed. The reasoning of it is perfectly clear. The orderly procedure of the House, in my humble judgment, would depend upon sustaining the Chair in the ruling that he has just made.

The CHAIRMAN. The Chair will read one or two precedents, out of a number that might be cited.

On December 16, 1898, the House was in Committee of the Whole House on the state of the Union considering the bill (H. R. 11191) to extend the laws relating to customs and internal revenue over the Hawaiian Islands.

Mr. William H. Moody, of Massachusetts, offered an amendment providing for the extension also of the laws of the United States relating to the appointment of officers in the Customs and Internal-Revenue Services.

Mr. Leonidas F. Livingston, of Georgia, asked if it was proposed to extend the civil-service laws to Hawaii.

Mr. Moody replied to this question, whereupon Mr. JOSEPH G. CANNON, of Illinois, suggested a point of order.

Mr. Moody raised the question of order that the point of order came too late. The point of order against the point of order, was sustained, on the ground that it came too late.

On the next page of Hinds' Precedents is a ruling to the effect that when a paragraph is read, then is the time to offer a point of order. That is what the Chair has always understood to be the practice. The Chairman in the case cited ruled as follows:

Without deciding the question as to whether, under the special rule under which we are proceeding, objection would have been in order if it had been made in time, the Chair is of the opinion that the point of order not having been made, it is now too late to make it, just the same as in case of the rule forbidding legislation on an appropriation bill. If the point is not made when such an amendment is offered, or until after debate, it comes too late. The Chair therefore holds that the point of order is not well taken.

In this case no point of order was made to the paragraph, or sought to be made, before the amendment was offered. After the amendment was offered, and held to be in order, it was too late to make a point of order to the paragraph. This ruling in the judgment of the Chair conforms to the precedents, and practice of the House.

Another case in point will be cited:

On April 16, 1904, the general deficiency appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when a paragraph of the bill was read providing for compensation to the clerk of the Committee on Industrial Arts and Expositions.

Mr. George W. Smith, of Illinois, proposed an amendment, which was ruled out on a point of order.

Thereupon Mr. Smith raised a question of order against the paragraph in the bill.

Mr. James A. Hemenway made the point of order that the question was raised too late.

The Chairman held that a point of order against a proposition must be made before an amendment is offered to it. (Hinds, vol. —, p. 6911.)

The committee will note that while the case cited is not so strong a case on the facts as the case upon which the Chair has occasion to rule, it very clearly is to the effect that after an amendment is offered to a paragraph it will then be too late to make a point of order to the paragraph to which that amendment relates.

The Chair sustains the point of order.

On March 15, 1918 (CONGRESSIONAL RECORD, p. 3562), the House was in Committee of the Whole House on the state of the Union, considering the legislative bill, when the gentleman from New York [Mr. LONDON] offered an amendment. A point of order was made to the amendment on the ground that it was "nonsense." The Chair held that this objection did not present a question of order. The point of order was overruled.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Add at the end of section 6 the following:

"No increase herein shall apply to salaries or compensations for personal services in any of the executive departments or independent establishments of the United States or of the District of Columbia, or any bureau or office therein, which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day: *Provided*, The present war is ended prior to June 30, 1919."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order against that.

I do not know whether the Chair has ruled on the point of order or not, but I submit, if the Chair will examine this amendment he will hold it is not in order. I will make the point of order it is not germane and that, at the same time, it has not any sense.

The CHAIRMAN. The objection that the amendment is nonsense, does not present a parliamentary question. The amendment seems to be in order, and it is for the committee to determine whether it considers the proposition to be sense, or nonsense.

On September 19, 1918 (CONGRESSIONAL RECORD, pp. 10524 to 10525), the House was in Committee of the Whole House on the

state of the Union considering the revenue bill, when a point of order was made by Mr. WALSH, of Massachusetts, to a paragraph in the bill on the ground that it did not relate to the revenue or bonded debt of the United States, and therefore was not within the jurisdiction of the committee making the report, and should be expunged from the bill. After debate, the Chair ruled that the Committee on Ways and Means had no jurisdiction to entertain, or report the paragraph in question.

The point of order was sustained.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Massachusetts [Mr. WALSH] makes the point of order on the ground that this particular paragraph does not relate to the revenue, or bonded debt and is, therefore, in excess of the jurisdiction of the committee.

Mr. WALSH. That it is not within the jurisdiction of the committee.

The CHAIRMAN. I say, in excess of the jurisdiction of the committee, and therefore beyond their authority. The Chair thinks the point of order is well taken, and sustains it.

Mr. KITCHIN. Mr. Chairman, no point of order was reserved on this bill. Take the case of an appropriation bill. You can not have new legislation on an appropriation bill when a point of order is reserved at the time the report is presented. If that is not done you can not do it when you consider the bill.

The CHAIRMAN. This is a very important matter, and the Chair will make the following explanatory statement: Should a bill be erroneously referred, the rules provide the procedure by which that bill, as a whole, may be returned to the proper committee. If advantage of the rule is not taken in time, and the committee improperly in possession of the bill proceeds to consider it, and report the same to the House, it will then be too late to raise a point of order against the bill as a whole.

In such a case the committee entitled to jurisdiction is considered to have slept upon its rights. But when a bill is properly sent to a committee having jurisdiction over the subject matter, and it improperly includes in the bill reported to the House, matter not within its jurisdiction, then upon the consideration of the bill, the extraneous matter improperly included, can be objected to by a point of order. This is the first opportunity presented to object to the offending matter. Hence no one has slept on his rights, and no one is estopped to make objection. There must be an opportunity afforded at some time to object to matter included in a bill in excess of the jurisdiction of a committee, and the first time that this opportunity is afforded, is when the bill is under consideration, and the objectionable matter is reached.

Mr. KITCHIN. I supposed that this referred to an amendment reported by the committee.

Mr. WALSH. Mr. Chairman, may I direct the attention of the gentleman from North Carolina to section 6926 of Volume V of Hinds' Precedents, where Speaker CANNON, of Illinois, on May 14, 1906, made the ruling that points of order are reserved at the time of reference to Committee of the Whole only on appropriation bills?

Mr. Joseph W. Babcock, of Wisconsin, moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

Mr. Sydney E. Mudd, of Maryland, interposed to reserve points of order against the bills.

Speaker CANNON held that as they were not appropriation bills such reservation was not called for.

Mr. KITCHIN. I want a little information, too, because this will be a precedent, and we want to get the matter straight. Suppose the Ways and Means Committee a week or two weeks before we reported this bill had introduced this identical bill with this provision in it, and then had reported it, and no points of order at all were reserved. Is it the understanding of the Chair that any matter in the bill of which the Ways and Means Committee originally had no jurisdiction would then be subject to points of order?

The CHAIRMAN. The Chair in response to that question will read the following extract from the rules:

POWERS AND DUTIES OF COMMITTEES.

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating—

1. To the election of Members—to the respective Committees on Elections.

2. To the revenue and the bonded debt of the United States—to the Committee on Ways and Means—

And so on.

The latter provision fixes the jurisdiction of the Ways and Means Committee, and delimits the matter appropriate for its consideration. Suppose the Committee on Ways and Means should report a bill dealing with the bonded debt, and as one paragraph of same should include matter properly belonging to the Elections Committee, or to the Committee on Foreign Affairs, or to the Committee on Appropriations, or to any other committee, how would this illegal assumption of jurisdiction be reached, save by a point of order directed to the offending matter?

Mr. KITCHIN. That is true, if it sought to amend a bill so as to include matters of which it had no jurisdiction, because the amendment would not be germane to the bill. But I am speaking now of this case: Suppose we had introduced this bill two weeks ago, and the committee had reported it, and it came before the House with that identical proposition in it for the Drafting Service, not as an amendment, but as a part of the bill. Suppose we had reported the bill with that provision in it. Would it then be subject to a point of order?

The CHAIRMAN. The Chair does not think a question of amendment is presented. This is a question of matter in a bill reported by the committee, as to which the committee had no jurisdiction. The Chair thinks the point of order to this paragraph is well taken.

EXTENSION OF REMARKS

OF

HON. DAN V. STEPHENS,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. STEPHENS of Nebraska. Mr. Speaker, the investigation had before the committee of Congress on the court-martial system in vogue in our Army has greatly stirred all those who are familiar with the evidence which has been offered as proof of the need of a complete reform of the present procedure. The war is over, and we can now be frank without fear of demoralizing our officers charged with the conduct of the war. I am one who has not heretofore offered one single public criticism of any branch of our Government, because I believed it unwise to do so when we were all bent upon winning the war. We have now the experience the war has brought and should profit by it to revise this system that smacks of the dark ages. No one should stand in the way of these reforms. No officer of the Army should feel it incumbent on himself to defend the system. Let it stand or fall on its merits, keeping in mind that an American citizen has certain fundamental rights that should be reserved to him even in the Military Establishment, which is supposed to be of necessity more or less despotic. When the people of this country come to the conclusion that their sons who enter the military service can not secure a square deal there is likely to be trouble for some one ahead of us.

It is conceded on all sides that courts-martial procedure during the present war has been atrociously harsh, brutal, and unjust. There is hardly a Member of Congress who has not directly received convincing evidence of that fact through innumerable justified complaints from his constituency, establishing beyond all doubt that *courts-martial are not worthy the name of courts*, that they are regarded in the Army in no sense as judicial bodies, and that they are subject to absolute control by the power of military command in our Army, a power which is as inhumane and heartless as the Prussianism which this army was raised to destroy.

An effort has been made to cast the burden and the blame upon this new Army itself and excuse the officers of the Regular Establishment from participation in or responsibility for the prevailing injustice throughout the Army. Even if this were as true as it is grossly untrue, a system of law which depends absolutely upon the character of the agencies which administer it, a system of judicial procedure which gives protection and justice only when administered and controlled by men who insist on doing the right and achieving justice regardless of the system, is to be utterly condemned. The system itself must be such as to require that right and justice be done, and to visit the severest penalties upon any who declines or evades the doing of justice.

But even when the system applied to the small Regular Establishment, as it existed before and up to the beginning of this war, and administered by officers of the Regular Army, whose virtues, it is now said, are such that the system could not go wrong, it was no better then than now; it was no better administered then than now. It gave no better results then than now. The injustice was as proportionately great then as

now—indeed, it can probably be said within the limits of truth that the system was more harshly administered then than now. But then the Army was small. Public interest was not aroused in it. The aggregate of injustice was much less than now. But that system blasted the hopes and life of many a man, and left as a derelict many a man who had served in the Army with all the virtue and rectitude that a good citizen and a good soldier usually has or need have in order to perform his duty, both as citizen and as a soldier.

It is charged that up until the beginning of this war, when Gen. Ansell fell in command of the office, there was no supervision and control in the War Department over the procedure of any court-martial. However gross, glaring, and prejudicial the error, there was no power, no authority, as the law was reactionarily construed, to rectify it. When the sentence of a court-martial was once passed upon and approved by the crude judicial processes of some commanding officer it was final and subject to no review at the War Department or in any other department of this Government. It is alleged that Judge Advocate General Crowder not only tolerated but approved that system, which subjected the life and liberty of every man in the Army to the oppressive and tyrannical will of a man trained to arms, and by that fact alone trained away from judicial thought and judicial methods. Before this war, notwithstanding the fact that section 1199 of the Revised Statutes expressly required the Judge Advocate General of the Army to review and revise the proceeding of every court-martial, this duty was not performed. Such revision as was had was for the purpose of collecting statistics and filing the court-martial records simply as records of the department. Such review as has been had during this war, and in some cases a much better but unauthoritative review, has been had at the insistence of one officer alone, who has striven in season and out to compel the Judge Advocate General of the Army to exercise in the name of justice the power which the statute confers upon him and requires him to exercise. The result has been static and obstinate opposition, a thwarting by administrative expedient of every effort made. His continuous insistence has been met by administrative makeshifts which were designed to deceive Congress, to deceive the soldiers themselves, and to deceive the people of the United States by deluding them into believing that something was being achieved in the establishment of justice in the Army, when it was well known that nothing substantial could thereby be achieved, and when it was intended that nothing should be achieved to modify the existing system.

And it has been the officers of the Regular Army who have insisted upon the maintenance of this system of bureaucracy, of absolutism, of injustice, supported and maintained by military power, and not the officers of the new establishment who are now accused of being the agents of this injustice through their ignorance upon the one hand and tyrannical exercise of brief authority upon the other.

No more shameful page will ever be written upon the military history of the United States than that that ought to be written and will be written when the people are informed upon this system of military injustice, supported and maintained by petty tyrants in high official position.

The American Bar Association charged that the present military code was unworthy of the name of law, and that the result of its application was unworthy of the name of justice. These charges are now known not only to state the truth, but they fall short of the mark in stating the whole truth. The system is a system not of law but of tyranny. It works not justice but tyranny, oppression, and the destruction of the souls and spirits of human beings.

The system is not the handiwork of Judge Advocate General Crowder or of Secretary of War Baker. It is true that in 1916 the present Judge Advocate General secured a reenactment of the military code, but it is obvious to every lawyer who will make even a cursory study of and comparison between the old code and the reenacted code that the reenactment made not one single systemic change, gave not one added guaranty, provided not one single scintilla of protection. It is nothing at all but a rewriting of the old code. I ask the lawyers of the country to compare the two in an effort to discover one particle of systemic improvement. The code to-day is in every substantial respect the British code of 1774, the code that we inherited from Great Britain when we separated from her, which we still insist upon maintaining and which she long since has cast aside. The few changes made in the reenactment that border upon the systemic are changes in the direction of reaction rather than of liberalization.

The attack made by the chairman of the Senate Committee on Military Affairs upon this system was well advised and justified. This enlightenment would never have come to the department nor to the people had it not been for the courageous attitude and testimony of Gen. Ansell before the Senate Committee on Military Affairs. Throughout the war he had seen and complained of the terrible injustices that were being inflicted upon our soldiery. But the light is breaking; the responsibility will be located; and those who are responsible for the perpetuation of this injustice are already engaged in making public their embarrassing pleas of confession and avoidance.

Gen. Crowder now states that this injustice has been to a considerable extent due to a lack of the very revisory power which Gen. Ansell at the beginning of the war insisted the department already had and ought to exercise, and which he strenuously denied. He now says that he went so far as to propose legislation that would have established such a revisory power, and he undertakes to avoid the responsibility by placing it upon the Congress for its failure to pass the legislation which he proposed.

It is claimed, and successfully I think, that the legislation proposed was not worthy of enactment. If enacted, it would have made more secure the existing system. It would have intolerably increased the present terrible deficiencies. The committees did not favorably report that bill, and they were wise in not doing so, first, because that bill would have placed the power of judicial supervision of courts-martial, not in the hands of a lawyer or a judge, not in the hands of the Judge Advocate General, but in the hands of a purely military official wielding all military power in the Army—namely, the Chief of Staff of the Army. This was enough to condemn it. But, much worse than this, it would have authorized the Chief of Staff to reverse an acquittal; it would have authorized him to strike out a finding of not guilty and substitute a finding of guilty; it would have authorized the Chief of Staff to increase any sentence which a court-martial had awarded. The legislation was skillfully drafted with a view to concealing its real character. But every lawyer, upon examining the bill, will discover what those who drafted the bill and those who proposed it already knew—that that bill placed these vast powers in the hands of the Chief of Staff and authorized him to impose punishments at his own will, and for that, if for no other reason, it should never become law.

What a tragedy in the realm of justice is the present system which the War Department still hopes and labors to save!

It is a system of justice made, maintained, and applied by the will of a military man, and not by any principles known to jurisprudence. The American people ought to know what this system means, and in the end they will know, and knowing it will destroy it.

A man can be court-martialed at the mere whim and caprice of any officer of the Army, from the most newly made second lieutenant to the Chief of Staff. In the last fiscal year there were more than 350,000 cases of courts-martial, and between twenty and thirty thousand of them were trials by general court-martial, the court of highest jurisdiction, with power to inflict any punishment, including that of death. The system does not require that any investigation be made to determine whether a man shall be tried or not. It does not require any legal determination of whether the charge or indictment is sufficient, as a matter of law, and whether there is evidence to constitute a prima facie case. It does not guarantee to a man any protection during trial. It does not define his rights before, during, or after the trial. It does not provide for adequate defense or establish his right to the substantial assistance of counsel. It does not establish and is not governed by any regard for any of those safeguards which have been developed by our civilization as necessary to protect a man against oppression and injustice. The trial, if such it can be called, being over, the commanding officer, a military man without the slightest judicial appreciations, alone determines whether the proceedings are correct and whether the accused has had a fair trial.

When a man is once haled before one of these courts there is little hope of acquittal. The military system is set against fair procedure. The reports of the Judge Advocate General for the last year show that only 1 out of every 23 men tried by a summary court is acquitted; only 1 out of every 12 men tried by a special court is acquitted, and only 1 out of every 9 men tried by general court is acquitted. And this certainty of conviction can not be said to be due to the thoroughness of investigation prior to trial, because the law requires no such investigation and but little is had. The great military desideratum, certainty of punishment, is achieved, but justice is not.

But those who support the present iniquities brazenly confess that it is not the object of the code to do justice—that the object of the code is to maintain discipline within the establishment. If these statements were not statements of record, it would

have been unbelievable that they could have been made by any responsible officer of Government or even by any man endowed with the ordinary capacity to reason and with an ordinary sense of justice. As though discipline and justice were inconsistent terms! As though the maintenance of discipline made it necessary to exclude justice! As though, indeed, discipline, in the proper sense of the term, could be founded on anything but justice! This fact alone shows how far those who govern and administer the present military establishment have gone down the high road to Prussianization, how far they have forgotten, if such men ever could have known, the ordinary principles of right and justice; how far their training has deprived them of all capacity to reason as fair-minded human beings. Such men have long since become machines. They can not be men. They see with the eyes of tyrants. Their hearts are hearts of stone. With such men in control of our Army, our people can never have any faith in or affection for it.

The present system of military justice is an insult to all decent principles of government. It is an outrage upon any government of a free people such as ours. Its terrible resulting injustices have been revealed and our consciences have been shocked. For every such injustice, some soldier's spirit has been crushed, some soul has been seared, some soldier's patriotism has been called upon to resist the assault made upon it by subjecting him to such a tyranny.

The system is completely beyond all legal control. Not only does it not require, it does not even contemplate, any such thing as legal control over the conduct of military procedure in accordance with established legal principles. It is a system controlled by and administered in accordance with the will of a military commander. This very deficiency—a lack of legal control in accordance with principles of law and a subjection of sacred judicial functions to the tyrannical power of military command—is the cause of the injustice which is now the subject of such general and bitter popular complaint. It could not have been otherwise, and it will never be otherwise as long as the Prussian methods which seem now to be rigidly established in our Army control the functions and the administration of justice.

The time is bound to come, and come soon, if indeed it is not already here, when the people of this country will locate the responsibility for the existence and maintenance of this injustice. The Army is not yet half demobilized. The system is still operating in full force and vigor. The ultramilitaristic mind, which seems to be in complete domination of our military administration, which establishes and maintains the present harsh and un-American standards, judgments, and punishments, supports the system, but the American people will sooner or later locate the responsibility upon the individual officials whose duty it was zealously to guard the administration of military justice, to the end that tyranny and oppression, which have so fertile a field in a military establishment, should not survive. This these officials have not done. This they have deliberately refused to do. Tyranny, oppression, and injustice have flourished by reason of the strong support given to them by the very officers whose duty it was to strike them down. And this the records will prove.

The evidence already elicited shows, and the attitude of the reactionaries who are upholding the present system corroborates it to the point of conviction, that the following pertinent propositions of fact are beyond denial or dispute and they at the same time serve to fix conclusively the guilt, for guilt it is, upon the officials who are responsible for the maintenance of military injustice:

(1) The Acting Judge Advocate General, speaking by virtue of the office in which he was at that time in sole and supreme control, found that under the existing law the War Department had ample authority for the supervision of courts-martial procedure and for keeping them within legal control. The Judge Advocate General of the Army, the Inspector General of the Army, and the Chief of Staff of the Army united in opposition to this view and urged upon the Secretary of War the argument that such supervision and control would result to the injury of discipline, and the Secretary of War yielded to their argument and relieved the Acting Judge Advocate General from further control over military justice.

(2) The military officials above mentioned placed their views upon record that military procedure had for its purpose the maintenance of discipline, and drew the distinction that discipline could not be maintained without sacrificing justice.

(3) They contend and maintain that the military code was a code of penal law that ought not to be independently and judicially supervised in its administration, but that it should be left to be administered by the camp commander.

(4) It is alleged that these officials intended to do nothing, but sought to shift the responsibility by placing an impossible bill before the two military committees of Congress, knowing that such a bill could not be enacted into law. That bill would have made the situation worse. The War Department overruled Gen. Ansell's opinion that there was already revisory and supervisory power in the War Department under existing law, and then sought to have Congress pass a bill that would have placed such a power in the hands not of independent legally trained officials but of military officials under the control of the Chief of Staff. That bill also would have authorized these same military officers to substitute a conviction for an acquittal by the court, to increase the punishment which the court had awarded, and to subject a man to a new trial at will. Such proposed legislation could hardly have been intended to pass because of its inherent deficiencies, and if it had passed it would have foisted upon the Army the chief deficiency of the existing system. It could not have been intended to pass, because it was only shortly after the Judge Advocate General himself had submitted it to Congress that he said that General Order 7 itself was designed simply to allay popular clamor and to head off congressional investigation.

(5) The Judge Advocate General has removed from participation in matters of military justice the one man who has stood for a liberalization of the system, and by reason of his headship of the office has prevented the free communication of the views of that officer to the Secretary of War.

(6) The present Judge Advocate General had written into the Articles of War two years ago the present thirty-seventh article, which he now construes as an additional reason why the commanding officer should govern courts-martial at his will and subject to no legal control, not even that of the President of the United States.

(7) The order which Gen. Ansell procured to be issued last September establishing a considerable power of revision over courts-martial procedure among our forces in France was this day, the very day that Congress is to adjourn, revoked.

It has been officially announced that the Judge Advocate General will soon depart upon a mission for Cuba. He is retiring for a while. His place will be taken by Gen. Bethel. It was Gen. Bethel, I am informed, who has contended for the harsh punishments in France throughout the war. It was he who argued with and persuaded Gen. Pershing to insist upon the execution of four young soldiers in France, simply as a matter of policy. He argued that the execution of a few men at the beginning of the war would have the effect of saving the life of many in the latter days of the war. It was he who has contended at all times against the establishment of any supervisory power over courts-martial in France, and it was he who finally succeeded in overthrowing the order establishing such revision there.

The structure will fall. It will carry with it all who insist on clinging to it.

EXTENSION OF REMARKS

OF

HON. JOHN M. BAER,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BAER. Mr. Speaker, under the general permission to extend my remarks in the RECORD, I present the following:

STATEMENT BY CONGRESSMAN J. M. BAER, REPRESENTING NORTH DAKOTA AT THE REQUEST OF GOV. LYNN J. FRAZIER.

"Owing to pressing official duties it is impossible for the governor of North Dakota, Hon. Lynn J. Frazier, to attend this conference of governors and mayors here at the White House. The governor wired me, urgently requesting that I represent him. I realize the imperative need of his presence at our State capital, because our legislature has just passed some of the most progressive legislation in the history of our State. North Dakota or N. D. stands for the 'new democracy.'

"There are few who are involuntarily unemployed in North Dakota. I have received a message from J. N. Hagan, commissioner of agriculture and labor, stating that 30,000 expert farm hands would be needed during the month of April. At the present time the problem of unemployment is a negligible one. Information from the various employment bureaus confirm the statement of the commissioner and show that the point of saturation has almost been reached in North Dakota. It is a

complete reversal of the conditions which have been heretofore reported at this conference. I believe great credit should be given to the splendid manner with which Gov. Frazier has handled the situation.

"North Dakota is a State which can be pointed to as an example of one which has efficiently and peacefully handled the labor problem.

"I want to insert here an editorial taken from the Nation of March 1, 1919. It reads as follows:

"We are happy to learn that there is one public official in the United States who has some conception of how to deal with the prevailing unrest. His unusual perspicacity may be due to the fact that he makes a living by farming, not politics. In any case, we are glad to hear a sensible word from anyone in responsible public position. Gov. Frazier, of North Dakota, in accepting appointment to the board of governors for a nation-wide campaign against anarchy, writes thus:

"'I have your telegram notifying me that I have been appointed on the board of governors for a nation-wide campaign to be launched against every manifestation of anarchy and to safeguard American liberties, American labor, American homes, and American schools, and wish to assure you that I am in hearty sympathy with the announced aims of your organization. Here in North Dakota we believe the best protection against revolution is to assist rather than retard evolution, and in this State it is the intention of the administration to remove discontent and prevent disorder by remedying the legitimate economic complaints of the people instead of trying to stamp out just grievances. As a consequence we have a contented citizenry in North Dakota, which believes in upholding our Government and achieving political progress by orderly and constitutional methods. * * * Personally, I feel that bolshevism is not the only peril to this country. In my opinion the spirit of Bourbonism is even more threatening to the security of our institutions, for, scanning back through history, it seems to me that Bourbonism always precedes and is the cause of bolshevism.' Gov. Frazier promises to be an interesting member of this particular board of governors."

"Idleness deserves the utmost contempt and earnest discouragement of every citizen. We must not shun it. We must reckon with it. This has been the policy of our State; and while the governor has effectively handled the situation with a firm hand, he has given every encouragement to those who honestly seek employment. He has dealt with firmness, but he has administered with justice. I therefore point with pride to the labor conditions in North Dakota, and believe that if other States had handled the delicate situation as wisely and ably as our governor has, little credence could be given to those who predict industrial strife and labor revolts. Permit me to quote from the governor's address to the legislature:

"The past two years have been trying times, both for the people and the State officials. On some occasions the burdens were hard to bear, but from beginning to end of our country's part in this great war there was a willingness to serve and an earnest determination which made North Dakota second to none in all available lines of war work. Our soldiers have made an enviable record.

"We are justly proud of them. And I am also proud of the record of those who stayed at home. Even through the adverse criticism of unscrupulous newspapers and politicians the people kept right on with an earnestness of determination and with one set purpose to back our Government and our boys and win the war.

"While in many States the people were utterly stampeded to do mob violence under the false guise of patriotism, and perpetrated outrageously revolting crimes that will haunt life's memory and leave a stain of disgrace that can not be lived down in a hundred years, our people marched quietly forward with consistent patriotism that will make proud our history for all time.

"For, after all, we are only servants of the people and act in their interests. Certain legislation has been demanded, and we have an unmistakable mandate to enact a definite program which has been adopted after mature deliberation. Naturally, this program has aroused the opposition of private interests whose profits were derived from the systematic exploitation of the people of North Dakota. These interests make the claim that our program is untried, dangerous, and likely to result in ruin.

"This can not be true, for there is nothing experimental about these proposed measures. They have been thoroughly tested in many parts of the world, and everywhere they have proven successful and have operated to the best interests of the people. There is not a single measure in our whole program which will adversely affect any honest and legitimate business interest within this State.

"On the contrary the adoption of this program will make us independent of the out-of-the-State interests, build up home industries, and develop and widen domestic markets, promote settlement, bring to more workingmen and make it easier for our people to own their homes—in short, will make North Dakota a State where the producer can retain his just share of what he produces.

"The whole tendency of the times is toward greater cooperation and the extension of democracy into industry, and in my estimation this industrial democracy is just as necessary as is political democracy. North Dakota in adopting these measures not only will promote general prosperity but will encourage education, remove restraints of privilege, and provide more equal opportunity and give our children and our children's children a chance to be better citizens and to be broader and happier men and women.

"I have little patience with those who would measure as with a thermometer the Bolsheviki temperature of our communities. North Dakota is the answer to the problem of bolshevism. When the people are freely allowed to exert their political power and the majority truly rules, we have pure democracy. When the Bourbons, the forces who are opposed to majority rule, come into power and suppress the people it breeds bolshevism. I am proud to say that there is not an I. W. W. who is a permanent resident within the borders of our State. If they drift into our State they are made to understand and they must work. Our slogan is 'Get to work or get out.'

"Great credit must be given the patriotic efforts of our business men—the former employers of the men in our great Army. They have placed the returned soldiers in their former positions and are rapidly absorbing those men who so gallantly defended our country.

"While I understand there are a large number of idle men in some of the large cities, especially in Buffalo and New York, I do not believe that the situation is critical and that as soon as farming operations are begun the slack will be taken up.

"We have witnessed the unparalleled results of the unity of purpose, unity of command, and unity of effort in what was not only a gigantic military and industrial achievement, but also the greatest moral victory in all history. This same unity of purpose demands an equal community of interest in the problems to be solved during the period of reconstruction. I am glad, therefore, that the President has called for the intelligent cooperation of the chief executives of our States. I hope that there will be a unity of purpose here, and that a definite plan will be worked out in this conference in order to handle the labor situation. I trust that it will work to the best interest of our beloved country. To preserve the ideals and institutions of this Republic is our one and supreme and unshakable purpose."

On the Irish Resolution, H. J. Res. 357.

EXTENSION OF REMARKS
OF
HON. JOHN M. MORIN,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MORIN. Mr. Speaker, in olden times tribes and peoples were a law unto themselves. Hostile and marauding bands preyed one upon another. For protection each village was surrounded by a wall. On its towers watchmen constantly patrolled in order that they might give their message of warning. This message was ofttimes a cry of alarm to tell of the approach of a foe, ofttimes a word of cheer to let the inhabitants know of the nearness of a friend.

Centuries have elapsed; civilization has progressed. The hostile marauding bands of yesterday have become the powerful nations of to-day. No longer a law unto ourselves, we are bound together by ties of mutual interests. We are turning to the watchmen on our towers to-day and asking them what vision they now have. They reply that they see the overthrow of tyranny and oppression; they see the coming light of liberty, justice, and equity. They behold the first beams of that happy day of which our President spoke when he said:

We are glad * * * to fight thus for the ultimate peace of the world, * * * for the rights of nations, great and small, and the privileges of men everywhere to choose their way of life and obedience.

To-day we are contending for those principles laid down by Lincoln in his memorable address when he predicated the fact that no nation could exist that was not truly self-governed. True democracy is indeed "government of the people, by the people, and for the people." Surely, it is not amiss that we who have this rich heritage should wish others to enjoy this great blessing and so should be urging that this form of government shall prevail in all the world, and are asking that each nation shall be given the opportunity to be truly individual, to determine its laws and its customs. Before enduring peace can come this privilege must be accorded to all nations, small or great, and that is why the American people are so anxious to have this right given to Ireland, that land famed alike in history and song.

The Irish question has perplexed and vexed our British allies for more than a thousand years, and it is still unsettled. During that period it has assumed different forms, and its attempted solutions have at times been marked with oppression, suffering, and bloodshed. When Rome first entered upon her career of conquest the British Isles, in common with France and Spain, were inhabited by what is known as the Celtic branch of the Caucasian race. These Celts or Gauls had constituted a powerful empire covering parts of Asia Minor and all of southern Europe, except the peninsula of Greece and Italy. Twice they threatened the destruction of Rome itself, but finally they had withdrawn to western Europe, where they were attacked by the Roman power. First, Spain was made subject to Rome; next, France, or Gaul, as it was then termed, was subdued by Julius

Cæsar, who in 55 B. C. carried the Roman arms into the British Isles.

While the Celts constituted a single branch of the Caucasian race, they were themselves divided into two classes by physical characteristics: One, the Brachycephalous—broad headed; and the other Dolichocephalous—long headed. The former usually have dark hair and eyes and the latter light hair and blue eyes. Sometimes these two types lived together and sometimes formed separate communities.

At the time Cæsar crossed over from the Continent there were four distinct communities—all, however, Celts—in the British Isles. They were in substantially what are known to-day as England, Wales, Scotland, and Ireland. The people were designated as Picts, Scots, and Bretons, and later as Welsh, Scotch, Irish, and English. The Romans conquered only England and Wales. The Norman conquest, too, was virtually confined to these two divisions. Still, even on the island of Great Britain, there was for centuries no close union, and wars were frequently waged between them until finally Wales and Scotland were united with England in what has since been known politically as Great Britain. This union was partly dynastic. Henry Tudor was a Welchman who became Henry VII of England and founded the Tudor dynasty. The union between England and Scotland was cemented when James VI of Scotland became heir to the English throne and was crowned as James I of Great Britain.

Unhappy Ireland, however, has had a sadder fate. While among the nations of northern Europe she first accepted Christianity and became a missionary center whence was diffused both to Great Britain and the countries on the Continent the light of both Christianity and culture, she herself, enthralled in wars, has suffered spoliation and oppression for almost a thousand years. First came the Danish rovers, in 968, overrunning the land; then, 200 years later, the Normans undertook the conquest of the island, thus beginning the struggle which is not yet ended. To the desolation of war and the spoliation of conquest were added the rapacity of absentee landlords and the restrictions on commerce which ground the people into abject poverty. Religious bigotry and ecclesiastical intolerance added to the bitterness of the cup that was pressed to the lips of Ireland.

Yet through it all she added to the strength and renown of Great Britain. Her poets and scholars helped render English literature illustrious. Her soldiers were among the bravest and her generals among the ablest that fought the battles of the British Empire. And through it all, until a little over a century ago, the Irish people had a nationality of which they were proud. In matters of local government they had nominally home rule. The Irish Parliament stood for government of the Irish people by themselves. The green flag of Erin was a symbol of a political entity. It meant that although in affairs affecting the whole empire Ireland was a subordinate part, still it had an individuality which meant much to its sons, while in local affairs it was independent. It is true that by successive acts under the German Georges of England this home parliament was shorn of many of its powers, but in 1782 it was reinstated in its full authority. "The King, lords, and commons of Ireland," constituting the Irish Parliament, was declared to be an "independent legislature."

It is true that with the religious intolerance and bigotry of that age a majority of the people of Ireland were excluded from the suffrage and from a right to participate in the Government. The qualifications were the same as in England—none but members of the established church could vote or hold office! But in England only a few were thus debarred, while in Ireland it shut out four-fifths of the people. Naturally the people were not wholly satisfied. The old abuses were not at once abolished nor old wrongs redressed; still there was a feeling of national pride that was working to bring about better feeling and friendly cooperation between the people of the two islands.

The Napoleonic wars came on, and Napoleon, like Germany to-day, attempted to profit by stirring up the unrest in Ireland. Then the younger Pitt, prime minister of England, conceived the idea of destroying the autonomy of the island and making it, like Scotland and Wales, a part of Great Britain, to be governed by the British Parliament, in which it would have representatives according to its population. The plan looked fair—to Englishmen—but it filled the hearts of Irishmen with despair and hatred, as it involved the loss of the individual nationality which they prized. To make the change, however, required the consent of the Irish Parliament, and Pitt, by the most gigantic bribery and corruption, bought up this Irish Parliament to sell out the freedom of its own country.

The "act of union" took effect in January, 1801, and the old contest was renewed with added bitterness. Since then many a noble Irish patriot has fallen a martyr to the cause of Irish nationality. With the broadening sympathy of advancing civilization, Great Britain has within the last half century done much to ameliorate social and economic conditions in Ireland. But she has not yet found the way to satisfy the Irish longing for home rule.

Now, Mr. Speaker, when the paramount question confronting the nations gathered in conclave around the peace table is the future of those nations who have not had the rights of liberty and freedom, it seems to me that action on this joint resolution is most opportune. Let us ask—nay, let us insist—that to Ireland shall be given that great boon she so long has sought, "freedom, independence, and self-determination."

EXTENSION OF REMARKS

OF

HON. THETUS W. SIMS,

OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SIMS. Mr. Speaker, as this is the last hour of the last day of the Sixty-fifth Congress, and as I shall not have the honor and pleasure of being the chairman of the Committee on Interstate and Foreign Commerce in the Sixty-sixth Congress, I beg to say that in no previous Congress since this committee came into existence has there been so large a number of bills and resolutions considered and reported to the House by committee as has been during the life of the Sixty-fifth Congress, the greater number of which have passed both Houses and have been approved by the President and are now statutes of the United States.

The following is a list of all bills and resolutions that have been favorably reported to the House, with notations showing in which of the three sessions of the Sixty-fifth Congress each bill or resolution was considered and reported, and which of them have become laws, giving date of approval; and also a list of such bills as have been reported but which were not acted on by the House and remain on the calendar not disposed of.

BILLS WHICH PASSED THE HOUSE DURING THE FIRST SESSION OF THE SIXTY-FIFTH CONGRESS, REPORTED BY THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

H. R. 328. Commerce—Car service, to amend act relating to. (Pub. 19.)
H. R. 3650. Commerce—Commission, authorizing increase in membership. Tabled; S. 1916 in lieu. (Pub. 38.)
H. R. 4467. Commerce—Interference with, including mails, etc. Tabled; S. 2356 in lieu. (Pub. 39.)
H. R. 4503. Public Health Service—Officers of, fixing status while serving Coast Guard, Army, or Navy. Tabled; S. J. Res. 67 in lieu. (Pub. Res. 9.)
H. R. 5723. War Risk Insurance—Soldiers' and sailors' compensation insurance. (Pub. 90.)
H. R. 4960. To define, regulate, and punish trading with the enemy. (Pub. 91.)
H. R. 5147. Bridge—Arkansas River, Fort Smith, Ark. Tabled; S. 2666 passed in lieu. (Pub. 30.)
H. R. 4427. Bridge—Arkansas River, Webber Falls and Gore, Okla. Tabled; S. 2710 passed in lieu. (Pub. 59.)
H. R. 5649. Bridge—Arkansas River, Little Rock and Argenta, Ark. S. 2830 in lieu. (Pub. 44.)
H. R. 6386. Bridge—Arkansas River, Little Rock, and Argenta, Ark. Tabled; S. 2937 in lieu. (Pub. 84.)
H. R. 5250. Bridge—Bayou Macon, Wisner, La. Tabled; S. 2667 in lieu. (Pub. 34.)
H. R. 5335. Bridge—Big Sandy River, Warfield, Ky. (Pub. 46.)
H. R. 4232. Bridge—Flint River, Ga. Extend time. (Pub. 69.)
H. R. 5819. Bridge—Fox River, Elgin, Ill. Tabled; S. 2883 in lieu. (Pub. 53.)
S. 2774. Bridge—Little Kanawha River, Gilmer Station. (Pub. 63.)
H. R. 5336. Bridge—Little River, Mississippi County, Ark. Tabled; S. 2695 in lieu. (Pub. 35.)
H. R. 6045. Bridge—Little River, Poinsett County, Ark. Tabled; S. 2938 in lieu. (Pub. 67.)
H. R. 6310. Bridge—Mahoning River, Warren, Ohio. (Pub. 75.)
S. 1007. Bridge—Mississippi River, Bemidji, Minn. (Pub. 14.)
S. 2434. Bridge—Mississippi River, Cass and Itasca Counties. (Pub. 57.)
S. 1006. Bridge—Mississippi River, Morrison County, Minn. H. R. 1679, same purpose; tabled. (Pub. 13.)
H. R. 5839. Bridge—Mississippi River, Itasca and Cass Counties. (Pub. 58.)
S. 2813. Bridge—Mobile Bay, Baldwin and Mobile Counties. (Pub. 51.)
S. 2816. Bridge—Red River, Tex. and Okla. (Pub. 52.)
H. R. 6412. Bridge—Rio Grande River, El Paso, Tex. (Pub. 85.)
H. R. 5431. Bridge—Saline River, Suttons Ferry, Ark. (Pub. 47.)

H. R. 5267. Bridge—Tug River, W. Va. Tabled; S. 2663 in lieu. (Pub. 81.)
H. R. 2343. Bridge—Wabash River, Vincennes, Ind. (Pub. 16.)
H. R. 3641. Bridge—Wabash River, Logansport, Ind. Tabled; S. 2106 in lieu. (Pub. 33.)
S. 2878. Bridge—Waccamaw River, Columbus and Brunswick Counties, N. C. (Pub. 60.)
H. R. 1655. Providing that the Panama Canal rule shall govern in the measurement of vessels for imposing tolls. (H. 17.)

BILLS WHICH PASSED THE HOUSE DURING THE SECOND AND THIRD SESSIONS OF THE SIXTY-FIFTH CONGRESS REPORTED BY THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

H. R. 9685. To provide for operation, while under Federal control, of transportation systems. (Pub. 107.)
S. J. Res. 65. To establish a reserve in the Public Health Service.
H. R. 10297. Amending an act to promote the safety of employees upon transportation systems. (Pub. 176.)
H. J. Res. 303. Extending time for relinquishment of Federal control of certain transportation systems.
H. R. 13306. War-risk insurance—Allotments, authorizing payments of certain, from pay of enlisted men.
S. J. Res. 214. War-risk insurance—Disbursing clerk of bureau, allowing certain credits.
H. J. Res. 235. War-risk insurance—Extending time for applications by those in war service; tabled. S. J. Res. 128 in lieu. (Pub. Res. 22.)
S. J. Res. 133. War-risk insurance—To amend act establishing, re application for insurance. (Pub. Res. 27.)
H. R. 11245. War-risk insurance—To amend act establishing, re soldiers' and sailors' compensation and insurance. (Pub. 151.)
H. R. 11048. War-risk insurance—To amend the act creating. (Pub. 195.)
H. R. 11520. War-risk insurance—To amend act, re allotments; tabled.
H. R. 12037. War-risk insurance—To amend act, re allotments; tabled.
S. 4482. War-risk insurance—To amend act, re allotments, substitute for H. R. 11520 and H. R. 12037. (Pub. 175.)
H. R. 13273. War-risk insurance—To amend, re allotments and allowances.
H. R. 11284. Aids to navigation, and for other works in the Lighthouse Service. (Pub. 174.)
S. J. Res. 309. Telegraph and telephone systems, authorizing the President to take over. (Pub. Res. 38.)
H. R. 12776. Emergency power bill.
S. 4924. Amending section 336 of the Revised Statutes relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries (substituted for H. R. 11848).
S. 1854. To save daylight and to provide standard time for the United States. (Pub. 106.)
H. R. 13648. Bridge—Allegheny River, Allegheny County, Pa.
H. R. 13649. Bridge—Allegheny River, Pittsburgh, Pa.
H. R. 13153. Bridge—Arkansas River, Fort Smith, Ark. (Pub. 245.)
H. R. 9715. Bridge—Bayou Bartholomew, Ark., extending time. (Pub. 160.)
S. 4127. Bridge—Big Sandy, branches of, Virginia. (Pub. 186.)
H. R. 10593. Bridge—Clarks Fork River, Bonner County, Idaho; tabled. S. 4102 in lieu. (Pub. 130.)
H. R. 13915. Bridge—Columbia River, Ceylon Falls, Wash.; tabled. S. 5316 in lieu.
H. R. 13369. Bridge—Connecticut River, Springfield and West Springfield, Mass.
H. R. 14508. Bridge—Delaware River, Pennsylvania Railroad Co.; tabled. S. 5354 in lieu.
H. R. 7637. Bridge—Depot Slough, Lincoln County, Oreg. (Pub. 235.)
H. R. 7998. Bridge—Fox River, East and West Dundee, Ill. (Pub. 104.)
H. R. 12773. Bridge—Little Calumet River, Riverdale, Ill. (Pub. 238.)
H. R. 11552. Bridge—Little Peedee River, Marion and Horry Counties, S. C.; tabled. S. 4445 in lieu. (Pub 173.)
H. R 10021 Bridge—Mahoning River, Trumbull County, Ohio (Pub. 196.)
H. R. 12995 Bridge—Mahoning River, Struthers, Ohio.
H. R. 12996. Bridge—Mahoning River, East Youngstown, Ohio.
H. R. 12997. Bridge—Mahoning River, East Youngstown, Ohio.
S. 3081. Bridge—Mississippi River, Mo. and Ill. (Pub. 99.)
H. R. 13143. Bridge—Mississippi River, New Orleans, La.
H. R. 13004. Bridge—Missouri River, Chamberlain, S. Dak.
H. R. 13393. Bridge—Missouri River, Nebr. and Iowa.
S. 5058. Bridge—Missouri River, Norton and Burleigh Counties, N. Dak.
H. R. 6076. Bridge—Monongahela River, Fairmont, W. Va. (Pub. 90.)
S. 4597. Bridge—Monongahela River, Fairmont, W. Va. (Pub. 212.)
H. R. 13427. Bridge—Monogahela River, Allegheny County, Pa.
H. R. 13485. Bridge—Niagara River, Buffalo, N. Y.; tabled. S. 5534 in lieu.
H. R. 13647. Bridge—Ohio River, McKees Rocks, Pa.
H. R. 7362. Bridge—Old River, Tex., lock and dam.
H. R. 11949. Bridge—Pearl River, Miss. and La. (Pub. 236.)
H. R. 11948. Bridge—Pearl River, east of Pearl River land district.
H. R. 15834. Bridge—Red Lake River, Pennington County, Minn.
H. R 11709. Bridge—Red River of the North, Minn. and N. Dak. (Pub. 249.)
H. R. 13232. Bridge—Red River of the North, Minn. and N. Dak.
H. R. 15950. Bridge—Roanoke River, Halifax County, N. C.
H. R. 15707. Bridge—Roanoke River, Williamston, N. C.
H. R. 12631. Bridge—Rock River, Winnebago County, Ill. (Pub. 237.)
H. R 13394. Dam—Savannah River, Ga.
S. 5192. Bridge—Rock River, Janesville, Wis.
H. R 12786. Bridge—Susquehanna River, Harrisburg and Lemoyne, Pa. Tabled. S. 4871 in lieu. (Pub. 224.)
H. R. 10818. Bridge—Tennessee River, Loudon County, Tenn. (Pub. 242.)
H. R. 14555. Bridge—Tombigbee River, Barrs Ferry, Miss.
S. 3009. Bridge—Tug River, Pike County, Ky. (Pub. 197.)
H. R. 15207. Bridge—Tug River, Williamson, W. Va. Tabled. S. 5478 in lieu.
H. R. 10365. Bridge—White River, Forsyth, Mo. (Pub. 124.)

BILLS REPORTED, BUT WHICH WERE NOT ACTED ON BY THE HOUSE, AND WHICH REMAIN ON THE CALENDAR UNDISPOSED OF.

H. R. 12352. Retirement of employees in the classified civil service. (H. 349.)
H. R. 15836. To amend the war-risk act. (H. 372.)
H. R. 15551. Aids to navigation and for other works in the Lighthouse Service. (H. 377.)
S. 352. Granting pensions to certain members of the former Life-Saving Service. (H. 481.)
H. R. 15837. To amend the war-risk act. (H. 396.)
H. Res. 570. Requesting the President to communicate to the House certain information regarding the War Trade Board. (H. 250.)
H. J. Res. 382. Directing the United States Coast Guard to resume its operations under the Treasury Department. (H. 259.)
H. R. 6979. To regulate the personnel of the Coast Guard. (H. 227.)
H. R. 13446. Bridge—Allegheny River, Pittsburgh, Pa. (H. 224.)
H. R. 12990. Bridge—Lumber River, Lumberton, N. C. (H. 211.)
H. R. 12179. Bridge—Monongahela River, Fairmont, W. Va. (H. 173.)
S. 2688. Bridge—Missouri River, Kansas River, Mo., extension. (H. 47.)
S. 4960. Bridge—Mobile Bay, Baldwin and Mobile Counties, Ala. (H. 223.)
S. 4598. Bridge—Mobile and Dauphin Bays, Ala., extension. H. 193.)
H. R. 11826. Bridge—Napa Slough, Cal. (H. 152.)
H. R. 13429. Bridge—Ohio River, Allegheny County, Pa. (H. 226.)
H. R. 10745. Bridge—Osage River, Cole and Osage Counties, Mo. (H. 131.)
H. R. 15814. Bridge—St. Francis River, Lee County, Ark. (H. 256.)
H. R. 13561. Bridge—St. John River, Madawaska, Me. (H. 230.)
H. R. 15039. Bridge—White River, Newport, Ark. (H. 246.)

Address of Hon. Louis C. Cramton Before the Michigan Grand Lodge of Odd Fellows Upon the Participation of America in the War.

EXTENSION OF REMARKS
OF
HON. CARL E. MAPES,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MAPES. Mr. Speaker, under leave given me to extend my remarks, I present the following address delivered by my colleague, Hon. LOUIS C. CRAMTON, at the meeting of the Grand Lodge of Odd Fellows of Michigan at Grand Rapids on November 14, 1918:

"Grand master, officers, and representatives, I understand the only reason for my being called on to speak is that you have to wait for the committee on mileage and per diem. However, I appreciate the opportunity of speaking to you for a few moments about 'over there.' To begin with, let me say right here that the fellows over there are entitled to more tribute than any of us can give them, and too much can not be said in their praise.

"As a Member of Congress in April, 1917, mine was the responsibility of casting one of the votes for the declaration of war that carried this Nation into the world-wide cataclysm of war. Later the responsibility was upon me of voting for appropriations amounting to billions of dollars for the effective and vigorous prosecution of the war and for the raising of immense revenue by new and increased taxation. And, again, I voted for the raising of great armies—greater than America had ever dreamed we would place in the field.

"Members of Congress who cast those votes realized well what it meant, how our action was to reach all the homes of the people we represented and place the heaviest burdens there. But those burdens have been borne by the American people with marvelous unity and courage and cheerfulness.

"But because I had upon me such responsibilities, it seemed to me, when the opportunity came to me in early July to go across with a party of Congressmen in order that we might see for ourselves the part that America was taking in the great struggle, the service that American boys were giving over there, the kind of care the Government was taking of them, and to study at first hand the problems for America arising out of the war—when that opportunity came to me it seemed to me my duty to go across.

"On the 5th of July we went on board the French liner *Rochambeau*, and on the 6th really made our start. As we put out to sea there was in the lead a great battle cruiser, and then came our liner and 12 or 14 great transports, all loaded to the limit with the boys in khaki—in all, 54,500. And as we sailed there were out on the left flank several small craft, the destroyers, and on the right flank were others. And from time to time above us sailed two hydroplanes and then, occasionally,

a great dirigible balloon. Our Government was doing everything it could to safely guard the journey of those thousands of soldiers overseas.

"After two or three days the destroyers and aircraft put back and we sailed without convoy, except for the battle cruiser at the head. When we approached the other side our liner separated from the fleet and put into Bordeaux, a French destroyer coming out to escort us past the dangers of mine and submarine; but the transports put off to the north, to land at Brest, where most of our soldiers were landed; and as they came near the dangerous waters about the British Isles and the coast of France small craft came out to meet them also, and convoyed them safely past the menace of the submarine and the mine.

"We sent across in that month of July 305,000 of our soldier boys, and all together we have sent over 2,000,000, and of them all only a few hundred have gone down in the ocean's depths by reason of the submarine. Do you know why those boys have so safely crossed the great deep? I believed that during the fighting it was the duty of every American, regardless of old-time prejudices or antipathies, to pray alike for the success of each of our allies, whether it be Britain, or France, or Belgium, or Italy, or Serbia, or Greece, because the fortunes of all were bound up together and a disaster to any one would be a disaster which would require the sacrifice of many American lives to repair. And as it was then our duty to pray alike for the success of each, now in our great hour of victory it is equally our duty to be generously appreciative of and thankful for the splendid part played by each of them in the great conflict. And so let me tell you who did most to guard the safety of those 2,000,000 American boys as they were going across—it was the small craft, the destroyers and mine sweepers and submarines that did the work. The ocean is wide and ships went far out of their course to avoid the German submarine. But however far they might go out of their course, they must eventually come into those waters about the British Isles and the coast of France. Hence in those waters was the greatest peril from the submarine and there must the greatest protection be given our transports. And there less than 5 per cent of the protection came from our own Navy. While we had there a total of 168 small craft patrolling those waters, Britain had about 3,000. In the month of July her small craft, in patrolling those waters, traveled over 6,000,000 miles and above the same waters her hydroplanes traveled 125,000 miles.

"Besides the British Isles have furnished 6,250,000 soldiers, in addition to a million from her dominions and a million and a quarter from India. And those soldiers have fought. In one month in the beginning of the last German drive the casualties of the British, Scotch, Welsh, and Irish were 355,000.

"France and Belgium, overrun by the course of war, have fought valiantly and suffered terribly. Italy, mobilizing 87 per cent of her men of 18 to 44, has lost over 26 per cent of them in wounded beyond possibility of return to service or prisoners or killed. Serbia, worn with seven years of heroic fighting, her fields overrun by cruel enemies, has never been suspected of any desire for a separate peace. And Greece, withheld from the side of the allies by her German Queen, Sophie, sister of the Kaiser, and her complaisant husband, King Constantine, and their abundant supply of German gold; Greece, before that King and Queen were driven from their thrones by Venizelos, splendid champion of democracy, even before that Greece gave the allies at Salonika 40,000 soldiers, and 15,000 of them were in the fighting lines.

"But you especially want to know of the part of America in the war. I say to you that the reason democracy has triumphed and there is joy in the hearts of all civilization is that America entered the war. That the victory has come so soon is because we entered the war so effectively and because the khaki-clad troops have fought with absolute disregard of self and with prodigal devotion to their cause.

"Let me remind you that only a few weeks ago, in the early days of July, Wilhelm was the King of Prussia, the Kaiser of Germany, the absolute dictator of Belgium and northern France and Italy, of Austria-Hungary, Montenegro, Roumania, Bulgaria, and Serbia, of most of Albania, and all of Turkey. That he had one connected, powerful, efficient dominion, stretching from the Baltic at the north through the rich heart of Europe to the heart of Asia, and in addition, through his Bolsheviki agents, Lenine and Trotzky, he had his grasp upon the limitless resources of Russia, ready to subdue the world as soon as they could be organized.

"It is a matter capable of positive proof that these Bolshevik leaders were the paid agents of the Kaiser, working his will in Russia with the plentiful use of German gold. Such was his dominion until a few weeks ago, the greatest sway ever exercised by any man in all of history. To-day in our hour of victory he is stripped of all his power and of his dominions, devoid of all honor, a refugee from world justice in his yellow hiding place in Holland. The sudden change is because of America's part in the war.

"But recently the last German drive was smashing down across France headed for Paris. They seemed coming with irresistible force. If that drive had succeeded and Paris had been captured the fighting would still be on in France, and to-day, and every day of this year and perhaps of 1919 and 1920, thousands of American boys with other thousands from our allies would be sacrificed. But the drive did not reach Paris. The second division of American troops, including a large force of marines, came into the line. On their right the French, and splendid brave troops they were, too, were falling back. The French corps commander suggested to Gen. Bundy, of the American forces, the advisability of like retirement on the part of the Americans. 'The Americans are not here for that purpose,' said Bundy. The French commander kissed the American on both cheeks after the inconvenient custom of the Frenchmen and patted him on the back. Not only did the Americans not retire but they held, and they advanced and they captured Belleau Wood. They checked that onrush of Germans who were coming forward flushed with victory, and they held them and sent them back. Because they did this, and because the Third Division came in at Chateau-Thierry, many of them green troops that had never before been under fire, and prevented the crossing of the river by the Germans—because of these things that last German drive was checked. That drive being checked it was possible for Foch to start his great counter offensive; that, beginning then, did not stop until the signing of the armistice a few days ago. That our boys were able to hold at Belleau Wood and Chateau-Thierry was only because they were willing to and did sacrifice themselves in such numbers as to cause officers of foreign armies with whom I talked to speak with awe of our losses in that fighting. Our boys there took no thought of self but only of the cause, and because they sacrificed themselves by thousands, hundreds of thousands of other American boys this month and next and next year are to be spared.

"On the 29th of July I went out to the American front from Paris and I passed Belleau Wood. Once heavily wooded, it stands now thinned by fierce shell fire revealing the great bowlders upon the hillside, ideal refuge for the machine gunners. Do you realize what it is to face the machine gun? If a man standing there is hit by a bullet from a machine gun which fires from three to six hundred bullets a minute, before that dead man can fall to the ground three more bullets may pierce his body. But that fire was faced by our marines and they triumphed over it. I was told that after that fighting the ground before that wood was strewn with bodies in khaki, lying in rows upon the ground, their heads pointing toward the wood. Forever after, as long as there are maps in France, that wood is to be known as the 'Wood of the Brigade of American Marines.'

"Again, on the 14th and 15th of August, I visited this front, and was with the One hundred and twenty-fifth and One hundred and twenty-sixth Regiments of the Thirty-second Division in their camp above Clergy, a few miles back of the line at Fismes. Let me speak to you a moment of the wonderful work of those boys of the Thirty-second Division in the Battle of the Ourcq, a part of the second Battle of the Marne. And I would not have you think from what I say to you of these that I feel that these are the only American boys who fought. But, rather, I speak to you of them because I came more closely in contact with their achievements. I give it to you as typical of what American boys have done over there whenever they have had the opportunity.

"You may hear it said, as I have, that in this war the National Guard has not measured up to the requirements either in organization or in efficiency of its officers. If you do hear such a statement made, you may be brief and say that, while you do not know as to the National Guard of other States, as to the National Guard of Michigan and Wisconsin such a statement is a lie. For there has not been in any army in any time a force that has fought more valiantly or more successfully than has the National Guard of Michigan and Wisconsin, forming the Thirty-second Division, in this glorious second Battle of the Marne. They had been down on the Alsace front about Belfort, and late in July were brought across country, 17 days without decent rest, going in box cars and motor lorries, and on the 29th they came into the line on a ridge near Courmont. Looking over, they could see their task before them. Down a slope and they would come to a little stream, the River Ourcq, and then the village Clergy. Then, on the other slope Les Jomblet

Wood, and then the ridge above. They went over the top that same day and down that ridge in the face of terrific shell fire barrage.

"Do you realize what it means to face such a barrage? Upon that field I saw such a line—over there a shell hole, here another, and there another; with regularity 15 or 20 feet apart, the line stretched straight across the field. Each one of those shell holes marked the spot where a high-explosive shell had struck, and as it fell it burst and sent in every direction a multitude of fragments of steel and iron, many of them 2 or 3 inches long, and some of them perhaps 2 feet or more in length, hurled with incredible force and velocity. Whatever they struck, they maimed and killed; but in the face of such fire our boys went down the slope and they gained the river. Then they took the village, and boys who had been in that fighting told me how, when they entered that village of Clergy, a Red Cross flag was displayed from the great stone tower of the church, and that when our boys were advancing to that church machine-gun fire came to them under the Red Cross flag. They swept the Germans out of the village, and as they were on the upper slope and approaching the great cross and crucifix, which I saw and which still remains upon that field, a wayside shrine, from the hole under the base of the cross came again the fire of the machine guns. The boys swept on up the slope, a part of them rushing forward a little distance and dropping down to the ground, others then rushing by, along a little distance, and dropping, in their effort to outwit the terrific fire of machine guns from the wood. Eventually the wood was theirs, and then the ridge beyond, and then other villages and streams and woods and ridges all the way to Fismes, which they took on the 4th of August.

"I am one of those who believe that nothing is to be added to the glory of the accomplishments of our troops by belittling the courage of the soldiers they fought. Many of the German troops fought well, and in this fighting from the 29th of July to the 6th of August our boys from Michigan were facing the Prussian Guards, the best troops the Kaiser had; and they were not then, as now, broken in spirit and disorganized in defeat, but still believed in their invincibility; and our boys drove them back day after day, a total of 20 kilometers, or 12 miles, in six days. They got ahead of their supplies, and a day and a half they were without food, except such as they picked up from the German dead or gathered from the wheat fields. They were exposed to the command of the air by the Germans, but they fought ahead with a sublime devotion and with a wonderful spirit. It was but a week after the fighting was over that I was with them. Their morale was perfect.

"They were ready to go again into the lines when called. I was much with my old friend, Father Dunnigan, chaplain of the One hundred and twenty-sixth; with Chaplain Swann, of the One hundred and twenty-fifth; with Maj. Guy Wilson and Maj. Earl Stewart and Col. Sestenedge and Lieut. Col. Waldo and other splendid men who had been through this fighting with our boys. None of them would tell me anything of what he himself had done, but they told me much of the spirit and heroism of the soldiers.

"They told me of that boy named Foley, from Detroit, who had two fingers shot from one hand and three from the other, but he would not leave the fighting. He went about gathering up ammunition for the fellows in the fighting. And that Mail Sergt. Cope, from Owosso, who when the mail came in those few days, mail from the States, carried it up and down the front lines distributing it to the boys who, when there came a lull in the fighting, crouched upon the ground and pulled out and read the letters from home. They told me of Lieut. Charles Hammond, of Port Huron, who was struck by a machine-gun bullet in the arm but would not leave his men; then he was shot again in the hand, but re-formed his platoon and led them still against the enemy in Belleau Wood; then as he advanced with his arm outstretched toward the wood, his revolver in his hand and his hand running with his blood, he was shot again and killed. The surgeon of the One hundred and twenty-fifth told me that in the first day of their fighting 250 boys of that division came through the hospital suffering from severe shell wounds, and of all there was only one who did not suppress all complaint of the pain he was suffering.

"In the morning Chaplain Dunnigan and Maj. Wilson and some of the boys of Company E of the One hundred and twenty-fifth Regiment took me across the fields in the smiling sunshine above Clergy to two graves newly made, side by side, each of them with its little wooden cross and the metal identification tag thereon. They were the first graves I saw of Michigan boys wrapped in the soil of France. One of them was the grave of Walter Taylor, of Lapeer, a member of my own Odd Fellows' lodge. Beside him a boy, Fred Schulz, of Sandusky. One of the boys with me showed us a photograph of Taylor and the girl in Lapeer he was to have married on his return. As I stood there I realized that life meant as much to those fellows as to any of us. Further, I realized that neither one of them owed to our flag or our country or to the cause of democracy any greater duty or obligation than you or I. I went a little way farther and saw those graves—one unidentified; one a Mexican; one a boy, Bert Ryan, or 'Paddy Ryan,' they called him, from Lapeer County; one a boy named Pollodina; one a boy named Arlt; and then a boy, Shauger.

"Later I was with Gen. Ferrero, the Italian commander in Albania, and while at dinner with him he showed me a letter he had that day from the Italian commander in France, a letter not written for American eyes, and hence of particular interest to me in its expressions about our soldiers. The Italian in France wrote that he had never seen such soldiers. 'They look as if they had always been soldiers. I do not know what it is, unless it is a matter of education and race.' I thought of those graves above Clergy, with their Mexican, Taylor, Ryan, Schulz, Arlt, Shauger, and Pollodina. I can understand the matter of education, because there is no country in Europe where the boys have the opportunity for education that they have in this country. But the matter of race I was not so sure about, as I thought of those names, indicating many diverse ancestries, and I can not understand it, unless it be that we have here in America, in this atmosphere of democracy, developed a new American race that knows nothing of ancestries and nothing of place of birth, that knows only American ideals and goes forth at the call of the colors to fight for that America and its ideals with American courage and devotion.

"And, again, another thing occurs to me in connection with those graves, and that is the distinction between autocracy and democracy. When the war opened the Kaiser had a great empire and six sons. He has lost his empire, but still has his six sons, for in an autocracy it is the part of the people to sacrifice and of the rulers to survive and profit; but on that field above Clergy, within a mile of the graves I have mentioned, I visited another grave, the grave of a son of a former President of the United States—Quentin Roosevelt. For in a democracy while there is equality of opportunity there is likewise equality of responsibility and sacrifice. And so in a democracy there is no one too humble to make the greatest sacrifice; there is no one too great to do his part of the common cause in a great emergency. And we must ever remember that while much has been said here at home about 100 per cent Americans, it is those boys over there, sleeping in those graves thousands of miles from home, who have made the 100 per cent sacrifice. I care not what any of you have suffered or sacrificed, there are none of you that have made the 100 per cent sacrifice, unless it be those who have sent such boys over there not to return.

"We now stand upon the threshold of days of peace. It has been said that 'peace has victories no less renowned than those of war.' It likewise is true that peace has its responsibilities no less important than those of war. We owe to those who have so nobly sacrificed in the past few months to see that the fruits of the victories they won is not frittered away at the peace table, to see that democracy is really made safe and free throughout the world. There will be upon each of us also a direct responsibility for the proper discharge of our obligations and duties as citizens of the greatest free democracy. The spirit of self-sacrifice and devotion and loyalty which has been so gloriously exemplified in the fields of war over there we should emulate in the highest possible degree on the more prosaic fields of peace over here. That is the message which I appeal to you each to take back to your homes. May I further emphasize this ideal by reading the following lines by Michigan's own poet, Eddie Guest, who is constantly gaining in his ability to give expression to the feelings of our people:

"WE ARE THE CHILDREN OF THE DEAD.

"They called to us before they passed:
'Unto our holy cause hold fast!
We fall, as God has willed, and yet
We leave to you an unpaid debt.
Remember, after we have gone
It is our work you carry on.'

"We are the children of the dead.
Out of the battle's heat and flame
To us from them this message came:
'We were your sons but yesterday,
As brothers then we marched away,
But since unto God's will we bow,
You have become our children now.'

"We are the children of the dead.
They called, ere the great silence came:
'Guard well our honor and our fame.
This heritage we leave to you,
Take up the task we tried to do.
In you, although our lives we give,
The purpose that we served must live.'"

"When we were at Verdun we met Gen. Hirschauer, a French commander, who has won much of fame in this war. When some of our party spoke to him of the fame and glory he had won he said, 'It is not my glory. We are simply the guardians of the glory of others.' Do you realize that those boys in khaki have been over there the guardians of the glory of Michigan and of America, and that in all time the glory of America has never shone so brightly as it does this day?"

Memorial to Francis Asbury.

EXTENSION OF REMARKS
OF
HON. CHARLES H. SLOAN.
OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

On Senate joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

Mr. SLOAN. Mr. Speaker, I rise to favor the grant of a site by Congress for the erection of a memorial to Francis Asbury, the site to be within the National Capital City and at such point as may meet the approval of the Fine Arts Commission, whose concern it is to develop a symmetric and beautiful city as befits the Capital of the greatest Republic on earth.

No appropriation is asked or contemplated to be made from the National Treasury. The funds are nearly all ready, being contributed by the devoted and grateful followers of the first Protestant bishop consecrated in America—a Methodist Episcopal.

Church and state are properly separated both as to control and support in this Republic. But few Americans there are who are not interested in the proper maintenance of both.

In Statuary Hall, in the National Capitol, there stands in cold marble, enduring granite, or fire-hardened bronze form likenesses of the great as they once walked the earth. There none may be placed until the original has for years passed away, the test being that he is worthy of being so remembered if affection, honor, and national gratitude surviving grief and tender recollection are found to still occupy a commanding place in the esteem and honor of those who render honor to whom honor is due.

In a way, this is true in the memorials outside the Capitol. If their memories without memorials live in the stirring historic times for decades or centuries, then they are and should be perpetuated.

Washington is indeed the monumental city of America. Baltimore 50 years ago was so called. Her scepter has passed to Washington. Throughout the city are found monuments to Washington and Lincoln; warriors Greene, Scott, McClellan, Hancock, Meade, Thomas, Sherman, Grant; heroes of the sea John Paul Jones, Barry, and Farragut; Hahnemann, the healer; Franklin, the philosopher; Pike, the great esoteric scholar; Longfellow, the poet; and Columbus, the discoverer. Why should there not be a place for a great American divine? Why should not men of all denominations, followers of the Christ, not have memory here?

Of those who in our early national history carried the banner of Christ in one hand and the torch of civilization in the other to the pioneers, braving bloodthirsty savages and rude and passionate men, no man exercised a more potent and lasting influence upon our people and institutions than did Francis Asbury.

Twenty years ago, before the automobile placed every farm in the suburbs of a town or city, there was little need of Asbury memorials. The Asbury chapels in the rural communities were numerous. They were his monuments. The current of church and chapel building is urbanward. We now find many of the Asbury chapels neglected and falling into disuse, while the gospel of Asbury is being preached to rapidly increasing adherents of Methodism.

He was born in the parish of Handsworth, England, August 20, 1745. Early called to active militant church service, he became, in 1771, the elder Wesley's "proconsul" for America. This was a time for great thought, great action, and great achievement in great America. He represented a sect not subservient though duly respectful to the "powers that be." There was the unrest of Europe, and soon to be the revolution in America.

Let me say at this point that he was a patriot, standing with the people whom he hoped to serve in their struggle for an independent nationality, while every one of his coworkers sent from England by Wesley went back to the mother country.

The seashore and the great river banks had the important settlements of America. Many of them would have furnished a suitable home for a bishop, but this he did not desire nor would he have it. He believed that the outposts of American civilizaton should be the outposts of Methodism. He would be a commander to lead a charge rather than to order an advance made. So from 1784, when he was ordained a bishop, till 1816, when he passed to his reward, no road was too long to travel, no river too turbulent to cross, no storm too fearful to venture, no savage that he would not face, no civilized man or mob he would not confront. Frail of physique though he was, his courage, zeal, and industry carried him through.

This modest advocacy of the purposes of this bill with limited time does not demand or permit a recital of his achievements in the progress of his church. I have read much of him. He is the one American character whom I would compare with St. Paul. He, like the great apostle, denied himself the comforts of family and home. He had not the learning of that Christian advocate, who could proudly claim Roman citizenship, but in religious fervor, in charity, religious example, and an eloquence which addressed itself to the understanding of those whom he would win, the modern prelate of the wilderness might well be compared to the courageous philosopher and advocate who fought its battles in many lands of danger and before many angry people when the church was young.

Little coin did he ever carry in his scrip, his vestments were neither expensive nor frequently renewed. He slept less on an average than did Napoleon. He agreed with Franklin, his contemporary, that it were "better to wear out than to rust out."

At the Saratoga general conference in May, 1916, on the commemoration of the centennial of Bishop Asbury's death, Judge Henry Wade Rogers, in a masterly address, said:

Asbury preached about 16,500 sermons; traveled about 270,000 miles, most of it on horseback, some of it on foot; presided in 224 annual conferences; and ordained more than 4,000 preachers. In addition, he was writing more than a thousand letters a year.

Richard the Lion Hearted and Godfrey de Bouillon endured hardship, pestilence, and assailed a barbaric foe to recover and defend a tomb from which the Savior of Man had long since risen. Francis Asbury forsook home and risked life and limb among the heathen and criminal civilized of the New World to save for Christ's kingdom the children of men, a crusade in which I believe the Divine Master had greater interest than for the sanctity of the tomb which he had abandoned 19 centuries ago.

Against the reasonable request involved in this measure I trust there will be no protest or vote, and that a site may be granted to erect the proposed memorial to this brave, devoted man of God, to whom paens of praise rise wherever great bodies of Methodists assemble, North and South.

Suggestion of Chambers Kellar, of Lead, S. Dak., on Use of Trench Shotgun.

EXTENSION OF REMARKS
OF
HON. HARRY L. GANDY,
OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. GANDY. Mr. Speaker, under permission granted me to extend my remarks in the RECORD, I desire to print an editorial from the Lead Daily Call, of Lead, S. Dak., of February 1, 1919, on the subject of the suggestion for the use of trench shotguns by the Army oversens:

The Literary Digest for January 18, 1919, published an article entitled "Facts about the trench shotgun." The article quotes from the opinion of Peter P. Carney, editor of the National Sports Syndicate, a statement to the effect that a Georgia engineer named Enger first suggested to the War Department the utilization of the short-barreled shotgun and that the suggestion met with favor. Possibly that is true. But the Call insists that a South Dakota lawyer first made this suggestion to the War Department, and made it so early in the war that the suggestion did not meet with favor. Since the shotgun has proven effective several sections of the country have claimed the credit of first making the suggestion of its use. We think the matter is of sufficient local interest to insist upon claiming the credit for South Dakota. The only satisfactory proof upon the subject is proof from the records. Our esteemed contemporary, the Aberdeen American, a short time ago

claimed this credit for Mr. G. E. Lemmon, of Lemmon, S. Dak., whereupon the Call wrote to Mr. Lemmon requesting the date when he first made his suggestion. In reply, Mr. Lemmon wrote the Call that he made his suggestion on February 10, 1918, in a letter to Gen. Pershing. When did the Georgia engineer first call the matter to the attention of the War Department? On July 25, 1917, Chambers Kellar, of Lead, wrote the following letter to United States Senator STERLING and to Representative HARRY L. GANDY:

"At the outset I wish to respectfully beg that you read this letter clear through. After you have done so and had a good laugh at my expense, then read it through again. Then, if you want to, throw it into the waste-paper basket. As a sagebrush military strategist, I wish to have called to the attention of our War Department the desirability of equipping the American soldiers in the trenches with shotguns. I have never fought in the trenches, but I have handled firearms of every description all my life, belong to a local rifle club, in which I obtained a medal for expert marksmanship, and am a fair pistol shot.

"According to all accounts, trenches are defended and attacked by the use of bayonets, liquid fire (which I am advised can be thrown from 20 to 30 feet), hand grenades, etc. One hundred men, armed with cylinder Winchester pump guns, with cartridges loaded with 12 buckshots, could successfully hold a trench against any thousand men who might be foolish enough to make an attack. They could come with bayonets as thick as quills on a porcupine and enough liquid fire to make them look like bats out of hell and hand grenades like a bunch of toy balloons, but against 100 men with shotguns loaded with buckshot it would be like picking off clay pigeons from the scratch.

"Moreover, the same weapon would be just as effective in a rushing charge of trenches. As a matter of fact, a bayonet would be attached to a shotgun just as readily as to a rifle.

"Of course I don't suggest the substitute of the shotgun for the rifle. I simply suggest it as an additional weapon to be used in defense of the trenches and for use in a charge where it is expected that close fighting is to be required.

"Now, please don't consign this to the waste basket simply because it did not emanate from the head of the Ordnance Department."

In reply Senator STERLING, on July 30, 1917, wrote Mr. Kellar:

"I have yours of the 25th instant relating to the use of the shotgun as a war weapon, and I appreciate keenly what you have to say in regard to it. It has settled many a Kentucky or North Carolina feud very effectually, and I do not see why recourse could not be had to its use on the battle field or in the trenches when the opposing forces are at close quarters. As a practical question I think it is worthy of consideration, and I expect to find out what the War Department has to say about it."

On August 22, 1917, the War Department Board of Ordnance and Fortifications formally acknowledge receipt of Mr. Kellar's suggestion in the following letter to Mr. Kellar, from which it clearly appears that this was the first time the use of shotguns had been brought to the attention of the War Department:

"In reply to your letter of July 25, to Hon. HARRY L. GANDY, Member of Congress, I beg leave to inform you that the shotgun has not sufficient range for trench use and is not sufficiently effective within that range.

"The period during which a charging enemy is within 60 yards of a trench is not a favorable one for charging weapons. The present rifle magazine of cartridges is for such a period. But shot may stop a man in the condition that we see him at a rifle club, but not as he is in a trench charge—excited and infuriated. A rifle projectile causes shock; several buckshot would probably not cause shock and would permit a German to continue his work for some length of time after being shot.

"The automatic machine guns all along a trench, each firing 400 rounds per minute, and covering all ground within 1,000 yards in front, are more effective than a large number of shotguns for the short distance of 60 yards.

"It is not understood that you have heard any suggestions of a shotgun from the men of any nation who have been in the trenches or on the firing line.

"The interest shown in submitting your ideas is appreciated, and your suggestions have been filed with the confidential records of the board."

If Georgia or any other State is ahead of South Dakota in this matter we shall be glad to publish the record, but we want the record. Until then South Dakota claims the credit—dating back to July 25, 1917.

Social Reconstruction.

EXTENSION OF REMARKS

OF

HON. JAMES A. GALLIVAN.

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. GALLIVAN. Mr. Speaker, under the permission granted me to extend my remarks in the RECORD I desire to ask the attention of Congress to a general review of the problems of social reconstruction at the end of the great war and a survey of remedies. This article was prepared by the committee on special war activities of the National Catholic War Council, consisting of Bishop P. J. Muldoon, of Rockford; Bishop Joseph Schrembs, of Toledo; Right Rev. Patrick J. Hayes, of New York; and Right Rev. William T. Russell, of Charleston, S. C. The article is as follows:

SOCIAL RECONSTRUCTION.

"Reconstruction" has of late been so tiresomely reiterated, not to say violently abused, that it has become to many of us a word of aversion. Politicians, social students, labor leaders, business men, charity workers, clergymen, and various other social groups have contributed their quota of spoken words and printed pages to the discussion of the subject; yet the majority of us still find ourselves rather bewildered and helpless. We are unable to say what parts of our social system imperatively need reconstruction; how much of that which is imperatively necessary is likely to be seriously undertaken; or what specific methods and measures are best suited to realize that amount of reconstruction which is at once imperatively necessary and immediately feasible.

Nevertheless, it is worth while to review briefly some of the more important statements and proposals that have been made by various social groups and classes. Probably the most notable declaration from a Catholic source is that contained in a pastoral letter, written by Cardinal Bourne several months ago. "It is admitted on all hands," he says, "that a new order of things, new social conditions, new relations between the different sections in which society is divided, will arise as a consequence of the destruction of the formerly existing conditions. * * * The very foundations of political and social life, of our economic system, of morals, and religion are being sharply scrutinized, and this not only by a few writers and speakers, but by a very large number of people in every class of life, especially among the workers."

The cardinal's special reference to the action of labor was undoubtedly suggested by the now famous "Social Reconstruction Program" of the British Labor Party. This document was drawn up about one year ago, and is generally understood to be the work of the noted economist and Fabian Socialist, Mr. Sidney Webb. Unquestionably, it is the most comprehensive and coherent program that has yet appeared on the industrial phase of reconstruction. In brief, it sets up "four pillars" of the new social order:

1. The enforcement by law of a national minimum of leisure, health, education, and subsistence;

2. The democratic control of industry, which means the nationalization of all monopolistic industries and possibly of other industries, some time in the future, if that course be found advisable;

3. A revolution in national finance—that is, a system of taxation which will compel capital to pay for the war, leaving undisturbed the national minimum of welfare for the masses;

4. Use of the surplus wealth of the Nation for the common good—that is, to provide capital, governmental industries, and funds for social, educational, and artistic progress.

This program may properly be described as one of immediate radical reforms, involving a rapid approach toward complete socialism.

PROGRAM OF AMERICAN LABOR.

In the United States three prominent labor bodies have formulated rough sketches of reconstruction plans. The California State Federation of Labor demands a legal minimum wage, Government prevention of unemployment, vocational education of discharged soldiers and sailors, Government control and management of all waterways, railroads, telegraphs, telephones, and public utilities generally, opening up of land to cooperative and small holdings, and payment of the war debt by a direct tax on incomes and inheritances. "Common ownership of the means of production" is also set down in the program, but is not sufficiently emphasized to warrant the conclusion that the authors seriously contemplate the early establishment of complete socialism.

The State Federation of Labor of Ohio calls for a legal minimum wage, insurance against sickness, accidents, and unemployment, old-age pensions, heavy taxation of land values, and reclamation and leasing of swamp lands; and Government ownership and management of railroads, telegraphs, telephones, merchant marine, coal and metal mines, oil and gas wells, pipe lines, and refineries.

The Chicago Federation of Labor has organized an Independent Labor Party and adopted a platform of "14 points." The principal demands are an eight-hour day and a minimum family living wage; reduction of the cost of living through cooperative enterprises and methods; Government prevention of unemployment and insurance on life, limb, health, and property; Government ownership and operation of railways and all other public utilities, steamships, stockyards, grain elevators, and "basic natural resources"; and payment of the war debt by taxes on incomes and land values and by appropriation of all inheritances in excess of $100,000. In some of its general expressions, such as "the nationalization and development of basic natural resources," this platform is the most radical of the three labor pronouncements.

BRITISH QUAKER EMPLOYERS.

Probably the most definite and comprehensive statement from the opposite industrial class was put forth several months ago by a group of 20 Quaker employers in Great Britain. In outline their program is as follows: A family living wage for all male employees, and a secondary wage in excess of this for workers having special skill, training, physical strength, responsibility for human life; the right of labor to organize, to bargain collectively with the employer, and to participate in the industrial part of business management; serious and practical measures to reduce the volume and hardship of unemployment; provisions of such working conditions as will safeguard health, physical integrity, and morals; the reduction, so far as practicable, of profits and interest until both the basic and the secondary wage has been paid, and transfer to the community of the greater part of surplus profits.

The spirit and conception of responsibility that permeate every item of the program are reflected in this statement: "We would ask all employers to consider very carefully whether their style of living and personal expenditure are restricted to what is needed in order to insure the efficient performance of their functions in society. More than this is waste, and is, moreover, a great cause of class divisions."

AMERICAN EMPLOYERS.

The only important declaration by representatives of the employing class in the United States was given out December 6 by the convention of the National Chamber of Commerce. Compared with the program of the British Quakers, it is extremely disappointing. By far the greater part of it consists of proposals and demands in the interest of business. It opposes Government ownership of railroads, telegraphs, and telephones; calls for moderation in taxation, and demands a modification of the Sherman antitrust law. While it commended the program of John D. Rockefeller, jr., on the relations that should exist between capital and labor, it took away much of the value of this action by declining to indorse the specific methods which that gentleman proposed for carrying his general principles into effect. The most important and progressive general statements made by Mr. Rockefeller are that industry should promote the advancement of social welfare quite as much as material welfare and that the laborer is entitled to fair wages, reasonable hours of work, proper working conditions, a decent home, and reasonable opportunities of recreation, education, and worship.

The most important specific method that he has recommended for bringing about harmony between employers and employees is adequate representation of both parties. Apparently the National Chamber of Commerce is not yet ready to concede the right of labor to be represented in determining its relations with capital.

AN INTERDENOMINATIONAL STATEMENT.

In Great Britain an organization known as the Interdenominational Conference of Social Service Unions, comprising 10 religious bodies, including Catholics, spent more than a year formulating a statement of social reconstruction. (See the summary and analysis contained in the Catholic Social Year Book for 1918.) This statement deals with principles, evils, and remedies. Presuming that Christianity provides indispensable guiding principles and powerful motives of social reform, it lays down the basic proposition that every human being is of inestimable worth and that legislation should recognize persons as more sacred than property; therefore the State should enforce a minimum living wage, enable the worker to obtain some control of industrial conditions, supplement private initiative in providing decent housing, prevent the occurrence of unemployment, safeguard the right of the laborer and his family to a reasonable amount of rest and recreation, remove those industrial and social conditions which hinder marriage and encourage an unnatural restriction of families, and afford ample opportunities for education of all children industrially, culturally, religiously, and morally. On the other hand, rights imply duties, and the individual is obliged to respect the rights of others, to cultivate self-control, to recognize that labor is the law of life, and that wealth is a trust. Finally, the statement points out that all social reform must take as its end and guide the maintenance of pure and wholesome family life.

Such in barest outline are the main propositions and principles of this remarkable program. The text contains adequate exposition of the development and application of all these points and concrete specifications of the methods and measures by which the aims and principles may be brought into effect. In the latter respect the statement is not liable to the fatal objection that is frequenly and fairly urged against the reform pronouncements of religious bodies; that they are abstract, platitudinous, and usually harmless. The statement of the interdenominational conference points out specific remedies for the evils that it describes, specific measures, legislative and other, by which the principles may be realized in actual life. Especially practical and valuable for Catholics are the explanations and modifications supplied by the Year Book of the Catholic Social Guild.

NO PROFOUND CHANGES IN THE UNITED STATES.

It is not to be expected that as many or as great social changes will take place in the United States as in Europe. Neither our habits of thinking nor our ordinary ways of life have undergone a profound disturbance. The hackneyed phrase, "Things will never again be the same after the war," has a much more concrete and deeply felt meaning among the European peoples. Their minds are fully adjusted to the conviction and expectation that these words will come true. In the second place, the devastation, the loss of capital and of men, the changes in individual relations, and the increase in the activities of government have been much greater in Europe than in the United States. Moreover, our superior natural advantages and resources, the better industrial and social condition of our working classes still constitute an obstacle to anything like revolutionary changes. It is significant that no social group in America, not even among the wage earners, has produced such a fundamental and radical program of reconstruction as the labor party of Great Britain.

A PRACTICAL AND MODERATE PROGRAM.

No attempt will be made in these pages to formulate a comprehensive scheme of reconstruction. Such an undertaking would be a waste of time as regards immediate needs and purposes, for no important group or section of the American people is ready to consider a program of this magnitude. Attention will therefore be confined to those reforms that seem to be desirable and also obtainable within a reasonable time, and to a few general principles which should become a guide to more distant developments. A statement thus circumscribed will not merely present the objects that we wish to see attained, but will also serve as an imperative call to action. It will keep before our minds the necessity for translating our faith into works. In the statements of immediate proposals we shall start, wherever possible, from those governmental agencies and legislative measures which have been to some extent in operation during the war. These come before us with the prestige of experience and should therefore receive first consideration in any program that aims to be at once practical and persuasive.

The first problem in the process of reconstruction is the industrial replacement of the discharged soldiers and sailors. The majority of these will undoubtedly return to their previous occupations. However, a very large number of them will either find their previous places closed to them or will be eager to consider the possibility of more attractive employments. The most important single measure for meeting this situation that has yet been suggested is the placement of such men on farms. Several months ago Secretary Lane recommended to Congress that returning soldiers and sailors should be given the opportunity to work at good wages upon some part of the millions upon millions of acres of arid, swamp, and cut-over timber lands, in order to prepare them for cultivation. President Wilson in his annual address to Congress indorsed the proposal. As fast as this preliminary task has been performed the men should be assisted by Government loans to establish themselves as farmers, either as owners or as tenants having long-time leases. It is essential that both the work of preparation and the subsequent settlement of the land should be effected by groups or colonies, not by men living independently of one another and in depressing isolation. A plan of this sort is already in operation in England. The importance of the project as an item of any social-reform program is obvious. It would afford employment to thousands upon thousands, would greatly increase the number of farm owners and independent farmers, and would tend to lower the cost of living by increasing the amount of agricultural products. If it is to assume any considerable proportions, it must be carried out by the Governments of the United States and of the several States. Should it be undertaken by these authorities and operated on a systematic and generous scale, it would easily become one of the most beneficial reform measures that have ever been attempted.

UNITED STATES EMPLOYMENT SERVICE.

The reinstatement of the soldiers and sailors in urban industries will no doubt be facilitated by the United States Employment Service. This agency has attained a fair degree of development and efficiency during the war. Unfortunately there is some danger that it will go out of existence or be greatly weakened at the end of the period of demobilization. It is the obvious duty of Congress to continue and strengthen this important institution. The problem of unemployment is with us always. Its solution requires the cooperation of many agencies and the use of many methods, but the primary and indispensable instrument is a national system of labor exchanges acting in harmony with State, municipal, and private employment bureaus.

WOMEN WAR WORKERS.

One of the most important problems of readjustment is that created by the presence in industry of immense numbers of women who have taken the places of men during the war. Mere justice, to say nothing of chivalry, dictates that these women should not be compelled to suffer any greater loss or inconvenience than is absolutely necessary, for their services to the Nation have been second only to the services of the men whose places they were called upon to fill. One general principle is clear: No female worker should remain in any occupation that is harmful to health or morals. Women should disappear as quickly as possible from such tasks as conducting and guarding street cars, cleaning locomotives, and a great number of other activities for which conditions of life and their physique render them unfit. Another general principle is that the proportion of women in industry ought to be kept within the smallest practical limits. If we have an efficient national employment service, if a goodly number of the returned soldiers and sailors are placed on the land, and if wages and the demand for goods are kept up to the level which is easily attainable, all female workers who are displaced from tasks that they have been performing only since the beginning of the war will be able to find suitable employments in other parts of the industrial field, or in those domestic occupations which sorely need their presence. Those women who are engaged at the same tasks as men should receive equal pay for equal amounts and qualities of work.

NATIONAL WAR LABOR BOARD.

One of the most beneficial governmental organizations of the war is the National War Labor Board. Upon the basis of a few fundamental principles, unanimously adopted by the representatives of labor, capital, and the public, it has prevented innumerable strikes and raised wages to decent levels in many different industries throughout the country. Its main guiding principles have been a family living wage for all male adult laborers, recognition of the right of labor to organize and to deal with employers through its chosen representatives, and no coercion of nonunion laborers by members of the union. The War Labor Board ought to be continued in existence by Congress and endowed with all the power for effective action that it can possess under the Federal Constitution. The principles, methods, machinery, and results of this institution constitute a definite and far-reaching gain for social justice. No part of this advantage should be lost or given up in time of peace.

PRESENT WAGE RATES SHOULD BE SUSTAINED.

The general level of wages attained during the war should not be lowered. In a few industries, especially some directly and peculiarly connected with the carrying on of war, wages have reached a plane upon which they can not possibly continue for this grade of occupations. But the number of workers in this situation is an extremely small proportion of the entire wage-earning population. The overwhelming majority should not be compelled or suffered to undergo any reduction in their rates of remuneration, for two reasons: First, because the average rate of pay has not increased faster than the cost of living; second, because a considerable majority of the wage earners of the United States, both men and women, were not receiving living wages when prices began to rise in 1915. In that year, according to Lauck and Sydenstricker, whose work is the most comprehensive on the subject, four-fifths of the heads of families obtained less than $800, while two-thirds of the female wage earners were paid less than $400. Even if the prices of goods should fall to the level on which they were in 1915—something that can not be hoped for within five years—the average present rates of wages would not exceed the equivalent of a decent livelihood in the case of the vast majority. The exceptional instances to the contrary are practically all among the skilled workers. Therefore wages, on the whole, should not be reduced even when the cost of living recedes from its present high level.

Even if the great majority of workers were now in receipt of more than living wages, there are no good reasons why rates of pay should be lowered. After all, a living wage is not necessarily the full measure of justice. All the Catholic authorities on the subject explicitly declare that this is only the minimum of justice. In a country as rich as ours there are very few cases in which it is possible to prove that the worker would be getting more than that to which he has a right if he were paid something in excess of this ethical minimum. Why, then, should we assume that this is the normal share of almost the whole laboring population? Since our industrial resources and instrumentalities are sufficient to provide more than a living wage for a very large proportion of the workers, why should we acquiesce in a theory which denies them this measure of the comforts of life? Such a policy is not only of very questionable morality but is unsound economically. The large demand for goods which is created and maintained by high rates of wages and high purchasing power by the masses is the surest guaranty of a continuous and general operation of industrial establishments. It is the most effective instrument of prosperity for labor and capital alike. The only persons who would benefit considerably through a general reduction of wages are the less efficient among the capitalists and the more comfortable sections of the consumers. The wage earners would lose more in remuneration than they would gain from whatever fall in prices occurred as a direct result of the fall in wages. On grounds both of justice and sound economics we should give our hearty support to all legitimate efforts made by labor to resist general wage reductions.

HOUSING FOR WORKING CLASSES.

Housing projects for war workers which have been completed, or almost completed, by the Government of the United States have cost some forty million dollars and are found in 11 cities. While the Federal Government can not continue this work in time of peace, the example and precedent that it has set and the experience and knowledge that it has developed should not be forthwith neglected and lost. The great cities in which congestion and other forms of bad housing are disgracefully apparent ought to take up and continue the work, at least to such an extent as will remove the worst features of a social condition that is a menace at once to industrial efficiency, civic health, good morals, and religion.

REDUCTION OF THE COST OF LIVING.

During the war the cost of living has risen at least 75 per cent above the level of 1913. Some check has been placed upon the upward trend by Government fixing of prices in the case of bread and coal and a few other commodities. Even if we believe it desirable, we can not ask that the Government continue this action after the articles of peace have been signed, for neither public opinion nor Congress is ready for such a revolutionary policy. If the extortionate practices of monopoly were prevented by adequate laws and adequate law enforcement, prices would automatically be kept at as low a level as that to which they might be brought by direct Government determination. Just what laws, in addition to those already on the statute

books, are necessary to abolish monopolistic extortion is a question of detail that need not be considered here. In passing, it may be noted that Government competition with monopolies that can not be effectively restrained by the ordinary antitrust laws deserves more serious consideration than it has yet received.

More important and more effective than any Government regulation of prices would be the establishment of cooperative stores. The enormous toll taken from industry by the various classes of middlemen is now fully realized. The astonishing difference between the price received by the producer and that paid by the consumer has become a scandal to our industrial system. The obvious and direct means of reducing this discrepancy and abolishing unnecessary middlemen is the operation of retail and wholesale mercantile concerns under the ownership and management of the consumers. This is no Utopian scheme. It has been successfully carried out in England and Scotland through the Rochdale system. Very few serious efforts of this kind have been made in this country because our people have not felt the need of these cooperative enterprises as keenly as the European working classes, and because we have been too impatient and too individualistic to make the necessary sacrifices and to be content with moderate benefits and gradual progress. Nevetheless, our superior energy, initiative, and commercial capacity will enable us, once we set about the task earnestly, even to surpass what has been done in England and Scotland.

In addition to reducing the cost of living, the cooperative stores would train our working people and consumers generally in habits of saving, in careful expenditure, in business methods, and in the capacity for cooperation. When the working classes have learned to make the sacrifices and to exercise the patience required by the ownership and operation of cooperative stores, they will be equipped to undertake a great variety of tasks and projects which benefit the community immediately and all its constituent members ultimately. They will then realize the folly of excessive selfishness and senseless individualism. Until they have acquired this knowledge, training, and capacity, desirable extensions of governmental action in industry will not be attended by a normal amount of success. No machinery of Government can operate automatically, and no official and bureaucratic administration of such machinery can ever be a substitute for intelligent interest and cooperation by the individuals of the community.

THE LEGAL MINIMUM WAGE.

Turning now from those agencies and laws that have been put in operation during the war to the general subject of labor legislation and problems, we are glad to note that there is no longer any serious objection urged by impartial persons against the legal minimum wage. The several States should enact laws providing for the establishment of wage rates that will be at least sufficient for the decent maintenance of a family, in the case of all male adults, and adequate to the decent individual support of female workers. In the beginning the minimum wages for male workers should suffice only for the present needs of the family, but they should be gradually raised until they are adequate to future needs as well; that is, they should be ultimately high enough to make possible that amount of saving which is necessary to protect the worker and his family against sickness, accidents, invalidity, and old age.

SOCIAL INSURANCE.

Until this level of legal minimum wages is reached the worker stands in need of the device of insurance. The State should make comprehensive provision for insurance against illness, invalidity, unemployment, and old age. So far as possible the insurance fund should be raised by a levy on industry, as is now done in the case of accident compensation. The industry in which a man is employed should provide him with all that is necessary to meet all the needs of his entire life. Therefore any contribution to the insurance fund from the general revenues of the State should be only slight and temporary. For the same reason no contribution should be exacted from any worker who is not getting a higher wage than is required to meet the present needs of himself and family. Those who are below that level can make such a contribution only at the expense of their present welfare. Finally, the administration of the insurance laws should be such as to interfere as little as possible with the individual freedom of the worker and his family. Any insurance scheme, or any administrative method, that tends to separate the workers into a distinct and dependent class, that offends against their domestic privacy and independence, or that threatens individual self-reliance and self-respect should not be tolerated. The ideal to be kept in mind is a condition in which all the workers would themselves have the income and the responsibility of providing for all the needs and contingencies of life, both present and future. Hence all forms of State insurance should be regarded as merely a lesser evil, and should be so organized and administered as to hasten the coming of the normal condition.

The life insurance offered to soldiers and sailors during the war should be continued, so far as the enlisted men are concerned. It is very doubtful whether the time has yet arrived when public opinion would sanction the extension of general life insurance by the Government to all classes of the community.

The establishment and maintenance of municipal health inspection in all schools, public and private, is now pretty generally recognized as of great importance and benefit. Municipal clinics where the poorer classes could obtain the advantage of medical treatment by specialists at a reasonable cost would likewise seem to have become a necessity. A vast amount of unnecessary sickness and suffering exists among the poor and the lower middle classes, because they can not afford the advantages of any other treatment except that provided by the general practitioner. The service of these clinics should be given gratis only to those who can not afford to pay.

LABOR PARTICIPATION IN INDUSTRIAL MANAGEMENT.

The right of labor to organize and to deal with employers through representatives has been asserted above in connection with the discussion of the War Labor Board. It is to be hoped that this right will never again be called in question by any considerable number of employers. In addition to this, labor ought gradually to receive greater representation in what the English group of Quaker employers have called the "industrial" part of business management—"the control of processes and machinery; nature of product; engagement and dismissal of employees; hours of work, rates of pay, bonuses, etc.; welfare work; shop discipline; relations with trade-unions." The establishment of shop committees, working wherever possible with the trade-union, is the method suggested by this group of employers for giving the employees the proper share of industrial management. There can be no doubt that a frank adoption of these means and ends by employers would not only promote the welfare of the workers but vastly improve the relations between them and their employers, and increase the efficiency and productiveness of each establishment.

There is no need here to emphasize the importance of safety and sanitation in work places, as this is pretty generally recognized by legislation. What is required is an extension and strengthening of many of the existing statutes, and a better administration and enforcement of such laws everywhere.

VOCATIONAL TRAINING.

The need of industrial or, as it has come to be more generally called, vocational training is now universally acknowledged. In the interest of the Nation, as well as in that of the workers themselves, this training should be made substantially universal. While we can not now discuss the subject in any detail, we do wish to set down two general observations. First, the vocational training should be offered in such forms and conditions as not to deprive the children of the working classes of at least the elements of a cultural education. A healthy democracy can not tolerate a purely industrial or trade education for any class of its citizens. We do not want to have the children of the wage earners put into a special class in which they are marked as outside the sphere of opportunities for culture. The second observation is that the system of vocational training should not operate so as to weaken in any degree our parochial schools or any other class of private schools. Indeed, the opportunities of the system should be extended to all qualified private schools on exactly the same basis as to public schools. We want neither class divisions in education nor a State monopoly of education.

CHILD LABOR.

The question of education naturally suggests the subject of child labor. Public opinion in the majority of the States of our country has set its face inflexibly against the continuous employment of children in industry before the age of 16 years. Within a reasonably short time all of our States, except some stagnant ones, will have laws providing for this reasonable standard. The education of public opinion must continue, but inasmuch as the process is slow the abolition of child labor in certain sections seems unlikely to be brought about by the legislatures of those States, and since the Keating-Owen Act has been declared unconstitutional there seems to be no device by which this reproach to our country can be removed except that of taxing child labor out of existence. This method is embodied in an amendment to the Federal revenue bill, which would impose a tax of 10 per cent on all goods made by children.

Probably the foregoing proposals comprise everything that is likely to have practical value in a program of immediate social reconstruction for America. Substantially all of these methods, laws, and recommendations have been recognized in principle by the United States during the war, or have been indorsed by important social and industrial groups and organizations. Therefore they are objects that we can set before the people with good hope of obtaining a sympathetic and practical response. Were they all realized a great step would have been taken in the direction of social justice. When they are all put into operation the way will be easy and obvious to still greater and more beneficial results.

ULTIMATE AND FUNDAMENTAL REFORMS.

Despite the practical and immediate character of the present statement, we can not entirely neglect the question of ultimate aims and a systematic program; for other groups are busy issuing such systematic pronouncements, and we will all need something of the kind as a philosophical foundation and as a satisfaction to our natural desire for comprehensive statements.

It seems clear that the present industrial system is destined to last for a long time in its main outlines. That is to say, private ownership of capital is not likely to be supplanted by a collectivist organization of industry at a date sufficiently near to justify any present action based on the hypothesis of its arrival. This forecast we recognize as not only extremely probable but as highly desirable; for, other objections apart, socialism would mean bureaucracy, political tyranny, the helplessness of the individual as a factor in the ordering of his own life, and general social inefficiency and decadence.

MAIN DEFECTS OF PRESENT SYSTEM.

Nevertheless, the present system stands in grievous need of considerable modifications and improvement. Its main defects are three: Enormous inefficiency and waste in the production and distribution of commodities; insufficient incomes for the great majority of wage earners, and unnecessarily large incomes for a small minority of privileged capitalists. The evils in production and in the distribution of goods would be in great measure abolished by the reforms that have been outlined in the foregoing pages. Production will be greatly increased by universal living wages, by adequate industrial education, and by harmonious relations between labor and capital on the basis of adequate participation by the former in all the industrial aspects of business management. The wastes of commodity distribution could be practically all eliminated by cooperative mercantile establishments and cooperative selling and marketing associations.

COOPERATION AND COPARTNERSHIP.

Nevertheless, the full possibilities of increased production will not be realized so long as the majority of the workers remain mere wage earners. The majority must somehow become owners, or at least in part, of the instruments of production. They can be enabled to reach this stage gradually through cooperative productive societies and copartnership arrangements. In the former the workers own and manage the industries themselves; in the latter they own a substantial part of the corporate stock and exercise a reasonable share in the management. However slow the attainment of these ends, they will have to be reached before we can have a thoroughly efficient system of production, or an industrial and social order that will be secure from the danger of revolution. It is to be noted that this particular modification of the existing order, though far-reaching and involving to a great extent the abolition of the wage system, would not mean the abolition of private ownership. The instruments of production would still be owned by individuals, not by the State.

INCREASED INCOMES FOR LABOR.

The second great evil, that of insufficient income for the majority, can be removed only by providing the workers with more income. This means not only universal living wages, but the opportunity of obtaining something more than that amount for all who are willing to work hard and faithfully. All the other measures for labor betterment recommended in the preceding pages would likewise contribute directly or indirectly to a more just distribution of wealth in the interest of the laborer.

ABOLITION AND CONTROL OF MONOPOLIES.

For the third evil mentioned above, excessive gains by a small minority of privileged capitalists, the main remedies are prevention of monopolistic control of commodities, adequate Government regulation

of such public-service monopolies as will remain under private operation, and heavy taxation of incomes, excess profits, and inheritances. The precise methods by which genuine competition may be restored and maintained among businesses that are naturally competitive can not be discussed here, but the principle is clear that human beings can not be trusted with the immense opportunities for oppression and extortion that go with the possession of monopoly power. That the owners of public-service monopolies should be restricted by law to a fair or average return on their actual investment has long been a recognized principle of the courts, the legislatures, and public opinion. It is a principle which should be applied to competitive enterprises likewise, with the qualification that something more than the average rate of return should be allowed to men who exhibit exceptional efficiency. However, good public policy, as well as equity, demands that these exceptional business men share the fruits of their efficiency with the consumer in the form of lower prices. The man who utilizes his ability to produce cheaper than his competitors for the purpose of exacting from the public as high a price for his product as is necessary for the least efficient business man is a menace rather than a benefit to industry and society.

Our immense war debt constitutes a particular reason why incomes and excess profits should continue to be heavily taxed. In this way two important ends will be obtained—the poor will be relieved of injurious tax burdens and the small class of specially privileged capitalists will be compelled to return a part of their unearned gains to society.

A NEW SPIRIT OF VITAL NEED.

"Society," said Pope Leo XIII, "can be healed in no other way than by a return to Christian life and Christian institutions." The truth of these words is more widely perceived to-day than when they were written, more than 27 years ago. Changes in our economic and political systems will have only partial and feeble efficiency if they be not reenforced by the Christian view of work and wealth. Neither the moderate reforms advocated in this paper nor any other program of betterment or reconstruction will prove reasonably effective without a reform in the spirit of both labor and capital. The laborer must come to realize that he owes his employer and society an honest day's work in return for a fair wage and that conditions can not be substantially improved until he roots out the desire to get a maximum of return for a minimum of service. The capitalist must likewise get a new viewpoint. He needs to learn the long-forgotten truth that wealth is stewardship; that profit making is not the basic justification of business enterprise; and that there are such things as fair profits, fair interest, and fair prices. Above and before all, he must cultivate and strengthen within his mind the truth which many of his class have begun to grasp for the first time during the present war, namely, that the laborer is a human being, not merely an instrument of production, and that the laborer's right to a decent livelihood is the first moral charge upon industry. The employer has a right to get a reasonable living out of his business, but he has no right to interest on his investment until his employees have obtained at least living wages. This is the human and Christian, in contrast to the purely commercial and pagan, ethics of industry.

Actions Speak Louder Than Words—By Their Fruits Ye Shall Know Them.

EXTENSION OF REMARKS

OF

HON. THOMAS L. BLANTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BLANTON. Mr. Speaker, availing myself of the privilege unanimously granted, I desire to elaborate the remarks I made concerning the United States Employment Service during the debate on the sundry civil bill.

The following is the letter sent me by the Department of Labor:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 6, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of January 23, 1919, addressed to Hon. W. B. Wilson, Secretary of Labor, is received. In reply thereto I will say that the Bureau of Labor Statistics of this department compiles, from various newspapers and other sources, as complete a list as possible of all strikes that occur. This list is not complete and it may also contain some duplications, because it is not always possible to tell from newspaper reports whether the report is concerning a new strike or whether it refers to a strike previously reported. Therefore the figures given can not be more than an approximation. After eliminating duplicates as far as possible this list shows that there were approximately 6,000 strikes between April 6, 1917, and November, 1918, the average duration of which was approximately 17 or 18 days.

Regretting that I am unable to furnish you more accurate information, and trusting that this approximate figure may be of some value to you, I am,

Very truly, yours,

H. L. KERWIN,
Assistant to the Secretary.

The Dallas News editorially last Sunday thought that I must be exaggerating when I stated that it has reached a point when Congress must decide whether America and its Government are to be run by and in the interest of its 110,000,000 people or by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. This great daily of the South asserted that the people of this country will never allow such a point to be reached, but made the following admissions:

But undoubtedly there is a growing disposition on the part of men who profess to speak for labor to threaten the country as a means of enforcing their will. They do not go to the extent of drawing a gun on the country to terrorize it into compliance, but they remind it, in ways more or less covert, that labor has a gun in its pocket which it may be provoked into using if its demands are denied. The particular incident which seems to have moved Mr. BLANTON into making this statement was the receipt of a cablegram from Mr. Gompers "insinuating," to use the language of Mr. BLANTON, "that failure" to continue the existence of the United States Employment Service "would cause a revolution of the discontented labor members here." We do not, of course, know whether that is a fair summary of Mr. Gompers's cablegram or not, but men employed in that service, who therefore have a financial reason for desiring to have it continued, have been circularizing the country by telegraph, at public expense, and the argument used in those telegraphic circulars has been of the tenor which Mr. BLANTON attributes to Mr. Gompers. They have, in other words, given the intimation unmistakably that a failure to continue the existence of the United States Employment Service might provoke labor into engaging in violent measures by way of showing its resentment.

This is not the only instance showing a disposition on the part of labor leaders to substitute threats for argument as a means of accomplishing the things they desire. For example, the chief of one of the railroad brotherhoods warned a committee of Congress the other day that unless the railroad problem were solved by the formula prescribed by the brotherhoods strikes might result, and that these strikes might be directed to revolutionary ends. Another rather signal instance of like kind is to be found in the action of a number of labor unions in New York in voting to strike unless, in some manner undescribed, the country does not revoke its decision to forbid the manufacture and sale of intoxicating liquors. In each of these instances a thinly veiled terrorism is used to constrain the Government and the country into doing something which, presumably, they would not do if they were left free to exercise their own judgment and pleasure.

Nevertheless, because of the strike now engaged in by the New York Harbor employees, the United States ship *George Washington*, carrying the President back to France, was denied its regular harbor convoy from the docks out to sea.

And because certain Congressmen have refused to obey the mandates of Samuel Gompers, and have taken their political fortunes into their own hands by voting according to the dictates of their own consciences, the following ultimatum is published in the Washington Star:

CAMPAIGN AGAINST MEN KNOWN FOES OF LABOR—FRANK MORRISON MAKES ANNOUNCEMENT AT DINNER GIVEN IN HONOR OF MR. KEATING.

An active campaign is to be conducted by organized labor throughout the Nation to defeat Members of Congress who have shown themselves to be foes of labor and who are responsible for the failure to deal with unemployment problems during the past session. Strong and determined efforts will be made to elect men carrying union cards or otherwise known to be friends of labor.

This was divulged last night by Frank Morrison, secretary of the American Federation of Labor, who was one of the principal speakers at the testimonial banquet given to EDWARD KEATING, retiring member of Congress from Colorado, by the joint conference retirement committee representing various organizations of Government employees.

SAYS LABOR KNOWS ITS FRIENDS.

In a highly spirited speech Secretary Morrison declared organized labor knows its friends and enemies, and that persistent warfare is to be waged against the latter. Already plans for a general campaign have been discussed by officers of the federation. He said that organizations want to see more trade-unionists in both branches of Congress. He severely scored those legislators who have failed to support legislation beneficial to the working classes of America.

The big banquet hall of the Ebbitt was attractively decorated, and the occasion of this testimonial dinner was highly impressive and interesting. Tribute was paid to Mr. KEATING, the various speakers being most complimentary in sounding his praises. It was very perceptible that the efforts of this aggressive champion of organized labor and the Federal employees were highly appreciated, and that his activities in their behalf will long be remembered.

During the evening Mr. KEATING was presented with an engraved testimonial, bearing the inscription, "Friend, counselor, comrade, and ally."

And while various labor unions in the United States are threatening a general strike unless the convicted murderer Mooney is released, the Bolshevik Lenine in Russia is threatening death to a captured American there unless Mooney is pardoned.

The Dallas News is probably not aware of the fact that hardly any measure of importance can be favorably reported out of a committee in Congress until Mr. Gompers and organized labor have been heard upon it.

In Samuel Gompers's 192-word cablegram, a copy of which Mr. Morrison, secretary of the American Federation of Labor, sent to the 435 Congressmen, he said:

Our investigation and findings in European countries show that unrest and unhealthy conditions now prevailing among laboring classes are due mainly to after-war conditions; that there is danger to the public weal in some of the efforts that are being put forward by the discontented masses, and that to prevent growth of similar conditions in America Congress must take such action—

And so forth.

Also, the Dallas News is probably not aware of the fact that, no matter how inefficient, how unworthy, how dissipated, or how merited, this Government is absolutely powerless to dis-

charge one of its regular civil-service employees here in Washington, because, forsooth, he is a member of the National Federation of Federal Employees, affiliated with and backed up by Samuel Gompers and the American Federation of Labor. Does the Dallas News know that there are scores of Government employees so aged and feeble that they have to be helped to their desks here every morning, doing no service of any value to the Government, yet still drawing large salaries in full as heads and chiefs of various sections and departments?

Mr. John T. Parker, of Laredo, Tex., writes me as follows:

This office here in Laredo is run by one manager at a salary of $140 per month, two assistants at $100 each per month, and one striker at $50 per month, besides house rent and incidental expenses. The manager here has a farm near Laredo, so he is making his ax cut both ways, and the three men working in the office here are all part Mexicans.

One of the leading business men of Dallas, Tex., writes:

I agree with your position exactly and believe that the Employment Service has served its purpose.

Mr. J. D. Head, of Amarillo, Tex., writes:

I think you are exactly right. I have three sons in the service now. There is plenty of work for every man who really wants a job. The Employment Service here has four employees on salary. The real estate agents here agree to find work for all at good wages. Thank you for saving the people money.

Dr. George W. Holmes, of Merritt, Fla., writes me:

That you have had the courage to express yourself against the domination of Congressmen and United States Senators by Samuel Gompers is evidence of your usefulness, and highly appreciated by the public.

I was one of the Civil War soldiers. We were willing to go to work at prevailing wages, and we found jobs when we got home. We must protect our constitutional form of Government.

I am in receipt of a letter from a laborer in Harrisburg, Pa., who, because he refused to join a strike during the war, was expelled from a union. He says:

I worked day and night after the United States entered the war, put my savings into bonds, war certificates, and subscribed to relief funds. I was employed on ordnance work and refused to strike, working during three walkouts. Now I am called a "scab" by all union men, and am subjected to every kind of abuse and threats of bodily harm. To my mind our Nation is in a serious and deplorable situation.

I have a letter from a laborer in San Antonio, Tex., stating that he is a poor, hard-working man, but indorses my action.

I am just in receipt of a letter from the county attorney at Oakville, Tex., stating:

Those present, a stockman, banker, merchant, and laborers, hearing your telegram to Judge Carl in the Express read, said "Hurrah for BLANTON; we fully indorse his position."

One of the leading business men of Waco, Tex., writes me:

I know something of these organizations and their methods. You have started something, and I want you to know that at least one man is with you, heart and soul, and that it is my opinion that several million others feel as I do.

One of the substantial business men of Augusta, Ga., writes:

You have rendered the country a distinct service by the stand you have taken. Labor unions have become a national menace and will overthrow the Government and our institutions as surely as the sun shines unless they are properly controlled. They recognize violence, destruction of property, murder, and anarchy.

I quote the following from page 716 of the Federal Employee:

"DAMNABLE," SAYS GOMPERS.

"It is damnable," said Mr. Gompers in his office in the American Federation of Labor Building, when asked concerning the Borland bill.

Because the Borland amendment required the 240,000 Government employees, before receiving the $120 raise in salary, to work eight instead of only seven hours per day in war time, Mr. Samuel Gompers called it "damnable."

Another substantial citizen of Texas writes me:

Everything you say about the service being in the hands of the labor unions and used to further their ends is correct, and you could have gone further and stated that the bureau as it was maintained during the war was nothing short of a joke. The San Antonio headquarters has been conducting a propaganda and sending commercial messages under the Government franking privilege all over the country urging individuals and organizations to get busy and demand of Congress that an appropriation be made to sustain the work on a big scale.

So far as my knowledge goes, the bureau in Texas has been entirely under the influence of labor unions, the director being an ex-railroad conductor, and he has placed in the service as field representatives just anyone, almost, that he could pick up, many of whom were switchmen and brakemen or members of other branches of the unionized labor service. This was done without regard to efficiency.

I have quoted only from men out of my district, hence feel that their expressions are genuine and not influenced by friendship. Let me quote the following Texas items from page 253 of the March (1919) issue of the American Federationist:

TEXAS.

Beaumont, I. Ross: Longshoremen are on strike for wage adjustment. Employment is steady. Laborers, riggers, and fasteners have organized.

Brownwood, C. A. Perkins: Effective January 1, carpenters' increased scale from 62½ cents per hour to 75 cents. There is considerable unemployment.

Childress, B. H. Dennison: Maintenance of way employees, railway and retail clerks have organized. Employment is steady.

Galveston, J. S. Lewis: Several unions have secured improvements in wages, hours, and working conditions. Women workers are organizing as never before. Employment is steady.

Houston, R. L. Johnson: Mechanics and boiler makers are still on strike. White laundry workers are organized in this city. Employment is steady in some lines of work.

Orange, A. J. Wharton: Laborers doing creosoting work gained an increase of 10 cents per hour. Employment is fair. Shipyard laborers and fasteners amalgamated under International Longshoremen's Association, with 700 members.

San Antonio, Frank J. Hopkins: Colored Car Cleaners' Local Union has been formed, as well as unions of meat cutters and slaughterhouse employees. Employment is fair.

Teague, T. F. Hamilton: Carpenters, painters, plasterers, and bricklayers are 100 per cent organized. Employment is steady at present.

Wichita Falls, Jack Prather: Sheet-metal workers, automobile mechanics, motormen, and conductors have organized, and local of waiters has been reorganized. Employment is steady.

I may not be able to withstand "the persistent warfare" which Secretary Morrison threatens will be waged against me by organized labor because I have dared to disobey the autocrat, but I can promise him one thing: He has matched a scrap with a west Texan who is not afraid of the devil, and who, for a while at least, is going to make it "hotter than hell" for them, and the union-pledged candidate will realize it whenever he puts me out of Congress.

When organized labor publicly threatens to put out of Congress any Representative who opposes its program, does the Dallas News still believe I exaggerated when I said it has reached a point where it is either "all the people of the United States or Samuel Gompers and his labor union"?

EXTENSION OF REMARKS

OF

HON. ADAM B. LITTLEPAGE,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. LITTLEPAGE. Mr. Speaker, in view of the charges and criticisms heretofore made on the floor of this House and the Senate, affecting and reflecting upon the coal operators and coal-mine workers of the country, I should feel remiss in the discharge of a public duty and trust if I did not raise my voice in this great presence and before the close of this session of Congress, now but a few days off, in the defense of, as a matter of simple justice, the coal operators and mine workers of West Virginia, my native State.

So much has been said here and at the other end of the Capitol by public men about the coal-mine owners and workers not being deserving men, profiteers, and maintaining prices to the detriment of consumers that if I did not challenge the reliability and truthfulness of these accusations and representations before retiring from this Congress I would feel that my mission and service here would not be finished acceptably to my own conscience and sense of duty.

Most of these misrepresentations have been uttered by Members of the House and Senate who come from noncoal-producing sections of our great country and from men who would not know a coal mine if they saw one. You don't find coal mines in the county roads, on railroad trains, or in the counting rooms. They are found beneath the hills and valleys, as a rule, in mountainous regions. One of the Senators from Ohio said in a speech that coal operators could make money at $1.35 per ton. That can not be done in any State in this Union, and the Senator should have known better if he knows anything about the coal business or the responsibilities of either the operator or miner.

In West Virginia we have the finest steam-heating and by-product coals in the United States. Here is a fair statement of cost per ton of producing coal:

COST OF MINING.

Royalty	$0.10
Mining, including underground labor	1.25
Outside labor	.20
Power and upkeep	.18
Management, office expenses, and office supplies	.20
Taxes and insurance	.08
Supplies, rails, timber, etc	.20
Miners' compensation	.03
Depletion and depreciation	.12
Commission	.15
	2.51
Other upkeep expenses	.15
	2.66

These figures represent the minimum cost of producing coal at a mine with an output of from four to six hundred tons per day. There are various items of legitimate expense not mentioned. The wear and tear and deterioration of a mining property is alarmingly rapid. From the West Virginia coal fields to Washington railroad charges on transportation of the coal is about $1.70 per ton; to Boston, about $5.90 to 6.10 per ton; from Washington to Baltimore, a distance of about 40 miles, $1 per ton extra. Thus you see it costs our operators $4 to $5 per ton to supply the coal to the retailer in Washington, and, it is safe to say, from $5.50 to $6.25 to Boston. In Boston, I understand, the retailer gets from about $8 to $12 per ton; in Washington, $8 to $11 per ton. Going west from our coal fields, on account of about 300 miles longer railroad haul than the coal producers in Kentucky, Ohio, Indiana, and Illinois are subjected to, our West Virginia coal producers are subjected to an extra charge or differential of about 30 cents per ton before they can reach the competitive lake and western trade. The only reason they can compete in these lake and western markets is because the West Virginia coal is recognized and conceded by all practical coal men and experts as being a superior, if not the best, heat and steam coal, as well as by-product coal, in the country. It is a shame to charge the miners and operators and hold them responsible for the imposition of the retail coal dealers upon the public, and I resent the accusations against them that they are profiteering. Do not blame and denounce them for the burden imposed by the retailers; it is neither right nor just to do so.

The operators of the country and of my State have never been so harassed and annoyed as since the Fuel Administration assumed control of their business. They have lost months of valuable time and spent hundreds of thousands of dollars on railroad fare, hotel expenses, running back and forth to Washington, trying to understand and comply with the regulations, which were often confusing if not conflicting and, in many instances, contradictory.

Some 60 to 80 operators, with their companies, of the southern section of West Virginia, where I live, were indicted in the Federal court in New York City last year simply because they met there and fixed the price of $3 per ton for their coal at the mines; and, mind you, this price had but recently theretofore been fixed by certain Government officials but was subsequently abrogated.

They showed by this course that they were public benefactors, as they were then offered and had theretofore been offered $7 to $10 per ton for the coal at their mines; but they fixed the price of $3 per ton, and the indictments followed. The attorneys' fees, railroad fares, hotel expenses, court costs, and other expenses amounted to more than $650,000. A jury of their peers in the city of New York, where they were strangers, and after a long drawn-out trial, promptly acquitted them when the case was submitted.

Now, who are these coal operators and coal miners of and for whom I speak? They are splendid, patriotic, upright business men. They have their own differences among themselves, but they get together, iron their troubles out, and resume business relationship.

Why do I say these are splendid, patriotic, upright business men? It is because they are as good people as ever dwelt in any country. They are developers. Their patriotism was demonstrated again when this country was at war with a foreign foe. They offered their mining properties, and they are valuable properties, representing the savings of a lifetime, to their Government without charge. The Navy had to have our smokeless and steam coal. Did my people sulk or complain? Not on your life! The miners, God bless them, worked day and night to supply the Navy's demand for the coal, and there never was such work. They deferred their differences until after the war. No sacrifice was too great. They willingly gave their boys, some of whom will never return after crossing the ocean to grapple with a deadly foe. Their dead bodies were found at the Marne, Chateau-Thierry, and in the Argonne Forest. None of them shot in the back. All died with their faces toward the enemy; they gave all they had—that greatest boon of life—the privilege of living. While at home their fathers, mothers, sisters, and brothers worked like slaves mining coal to propel our ships and naval vessels on the high seas carrying our country's boys to battle for the existence of justice and humanity throughout the world. Some of our largest coal operators, some of whom owned their own mines, turned them over to employees and themselves volunteered and went across the sea to do or die for their country and homes. What more did they do? Those remaining here, too old to enlist, were refused enlistment, quit their mines, turned them over to employees with instructions to run them day and night in order to produce coal for the Navy, and these operators spent nearly all their time selling liberty bonds, war-savings stamps, thrift stamps, and aided in the Red Cross and all other war drives, with the result that in my district alone the coal operators, companies, coal miners, and mine workers bought and have about paid for over $6,000,000. Quite 80 per cent of them now hold their Government's obligation for money advanced by them when it was in trouble. Think of a little mining town known as Matewan, having a population of three to four hundred, being allotted $12,000! It raised $65,000. Ansted, a mining town of about twelve hundred, raised $250,250; Glen White, a mining town of about 600, raised $180,000. At this mine an incident occurred which will dwell with me for years to come. The mine is a shaft mine, 380 feet deep. The seam of coal is some 8 or 9 feet in thickness and an exceptionally fine smokeless or by-product coal. Coming out of the mine in an elevator I went to the engine room, where I met a splendid young mine worker, an engineer, around one of the timberheads of the machinery, upon which had been placed two brass bands, and I noticed he had rubbed them until they were very bright. I asked him why he kept them shining so. He said Eddie White, the son of the mine owner, who worked with him several years, helped him put them on before he went to war, and that he loved Eddie, and if he never came back he meant to keep them shining as long as he lived or worked there. He turned and went away with his head bowed, as if in grief. I went my way. Such affection is characteristic of the good people whose servant I am and for whose good standing and good name I speak.

What more have these patriots done as an evidence of their splendid patriotism? In the counties of Boone, Fayette, Kanawha, Greenbrier, Raleigh, and Pocahontas they raised over $8,000,000 for liberty bonds, war-savings stamps, Red Cross, and all war organizations. Are they not deserving, and do they not deserve good treatment and to have nice things said and thought of them? I say yes, and so does every fair-minded man in this House.

Now, gentlemen, this will likely be my last address delivered in this House, and maybe for all time. I go back to my people to deliver the commission they intrusted me with eight years ago, and it will be as clean as when I received it, untarnished and still sacred. I have done my best for them and my country. We have had awful responsibilities to discharge, but we have stood up and undertaken, in the sight of God and the people of our country, to do our full duty as we saw it. This is a fruitful field for an industrious man to labor in. I have tried hard to make a good public servant of all my people without regard to their politics. What I have accomplished here for my people I am proud of and grateful for, and so are they.

You are a magnificent lot of delightful men, and you have served your country much better than you have been given credit for. The only thing I regret leaving is the high-toned and splendid fellowship existing among the membership of this House, which I shall cherish with pride and affection throughout after life. Good luck and good-by.

Labor and Wages—Americanizing Labor—Deportation of Foreign Agitators—Industrial Profit-Sharing Plan—Old Age and Disability Pensions.

EXTENSION OF REMARKS

OF

HON. JOHN F. MILLER,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MILLER of Washington. Mr. Speaker, it is my purpose to draw the attention of Congress to what appears to me to be the greatest domestic problem now before the American people. These problems are none other than those of labor and wages.

In my judgment the future welfare and happiness of our people, as well as the security of our institutions, are in a great measure dependent upon the just and proper solutions of these two great problems.

I have differentiated labor and wages, treating the first as relating to the moral and patriotic elements of the principles involved, and the second the manner of the practical application of these principles.

The observations I shall make appear to me to be most timely in view of the widespread industrial unrest prevailing to-day.

There is always a period of industrial unrest immediately following every period of great activity, and as war is the greatest of all possible activities the unrest following the war is always sure to be of a most serious and apprehensive character. We are now going through this period of industrial unrest. It is expected. It follows the course of human experience.

This industrial unrest is world-wide, and just now it so happens that there is a world-wide governmental unrest. The combination is bad. The public is agitated and, to a certain extent, excited. People lose their stability of thought. New ideas seem to float in the air. All sorts of doctrines, however fanciful or vicious, gain recruits. This condition seems to be a part of the psychology of war, connected in some way with the process of relaxation. It is the opportunity of the agitator. These multiply and swarm in the atmosphere of discontent. It makes a perfect breeding ground for all socialistic cults, and a socialist of any kind breeds every month of the year. It all contributes to making the unrest and discontent more menacing.

The industrial unrest in America is now almost universal—East, West, North, and South. It has grown rapidly since the signing of the armistice in November last. The presence of this condition makes us all realize that we at least have not found the true system by which the welfare and the efficiency of our people may be raised to the maximum. Added to this situation—or, rather, associated with it in some points of our country and taking advantage of this disturbed mind—a new and alarming and vicious doctrine from foreign shores has come to our ears, a new word for industrial, social, and governmental chaos.

When men become disturbed, dissatisfied, and discontented, unless they are brought back to their normal selves they soon become possessed of a grievance against the existing order of things—against society as it is constituted to-day. This should not be permitted. The welfare of our institutions demand that it must not be permitted. We must keep our citizenship right-thinking. And the only way to keep them right is to treat them right. We must think right ourselves. We must think of them, for them, and with them.

The question is, What are we going to do?

The first thing is to Americanize America, and in Americanizing America we will Americanize labor. Deport every one of this foreign element who is taking advantage of the industrial unrest to spread the damnable doctrines he has brought here with him. Send him back home. Clear out this foreign social and industrial propaganda. It has no business here. Clean up our country. We can take care of the American-born agitator. Close down immigration, and close it down tight, and do it quick.

Then what are we going to do?

The second thing to do, then, is for every American employer to treat every American employee as a human being in whose welfare he has some interest. The American employer must change his tactics in dealing with his employees, and I believe he will when he thoroughly understands the situation. I believe the fairness, the humanity, and the manhood of the employers as a class can be depended upon. If I did not believe that, I would almost despair of the future. I believe I know also that the fairness, the humanity, and the manhood of the employees as a class can be depended upon. If I did not think so, I would be equally in despair. Let it be understood right here and now that neither class has a monopoly on manhood. This war has demonstrated this fact to a certainty. A man is no less a man in every sense of the word simply because he wears overalls and works his hands. It is just as honorable to work standing at a desk or sitting in a chair. It is just as honorable to work in overalls as it is to work in anything else. When the American employer understands that the man working for him, be he in overalls or not, is just as much a man, so far as manhood goes, as he is, and is entitled to be treated as a man, he will understand something he apparently does not understand now. When the American employer in talking with the American working for him appreciates that he is talking to his equal he will have advanced a step beyond where he is to-day. Let us get this idea of superiority or of inferiority, as the case may be, out of our heads and keep it out.

Well, what then?

Listen, you employers of America, who have builded up fortunes of millions and millions of dollars in comparatively a few years of industrial or commercial life. Every dollar of that fortune is the accumulation of your margin on day's labor multiplied and compounded. The presence of that fortune in your hands is absolute evidence of the fact that you, up to this time, have failed to give reasonable value received to those working for you for their labor and their services. Your margin has been too great. You have simply overreached the party you were contracting with—that is, the man who agreed to sell to you and who did sell to you his labor and his skill. Some of these contracts have been and are now unconscionable. I appeal to the manhood of the men who have made and are still making these contracts. Stop it; deal with the man who is working for you as one American ought to deal with another. Leave yourself a reasonable and safe margin of profit, but stop this brutal and immoral greed. Do not be a glutton, overfed out of the margin on day's labor, taken from out of the mouths and off the backs of your countrymen. Give the man or the woman who is working for you a fair and even break.

Well, you ask, how is this to be done?

My answer is along the lines of an industrial profit-sharing plan. Give the men and women who are building up your fortune a share of the profits their hands and heads have made. Listen again, you employers. Can not you see every one of your men and women would have an incentive, an inducement to do better work and more of it? Your factory and your store would be open and doing business every day of the year. You would do away with strikes, and the agitator would talk until he was black in the face. Be on the square, too, in distributing this share. Do not allow yourself a salary of $50,000 a year, to come out of the profits, and then spend half your time in a limousine or aboard a yacht. Be square; if you are not, your men will know that fact just as well as you know it. Present a balance sheet something like this:

Here is the interest on the investment.
Here is the amount of business done.
Here is the overhead, including depreciation.
Here is the net profit.
Here is the share to be divided amongst your men, for it was their hands that made it all, over and above the daily wages you paid them.

Every man and woman will be satisfied. Everyone will be drawing trade to you, and your industrial unrest will cease. You will have contentment, satisfaction, and quiet everywhere.

I want to give a warning to those who are now building their great colossal fortunes out of the profits on day labor. The times when such things are possible are drawing to a close, and in good conscience they ought to come to a close. Think of men in a few years of active business life building up such enormous fortunes out of the excess profits—out of the margin on trade in labor. As I said before, the margin has been too great. It is against the best interests of your country that such fortunes should have been accumulated in such a manner. The interests of all the people have not been considered, and the man whose toil it was, who builded this fortune, has been considered the least of all. I have suggested that the employers themselves should voluntarily create this new system. I can only say if the employer does not do it the Government—that is, the State or General Government—will be forced to do it for him. Good conscience calls for a change. Time was when the employees had no weapon with which to fight, but that time has passed. Labor now has the two great instruments—the industrial and the political. Either one is sufficient; but when both are unitedly called into use there is no power that can withstand them. The control of business and industry is no adventure for the Government. But a few years ago, when it became necessary for the States and the General Government to control the banking business, they did so; the one controlled the rate of interest on loans and the other the general character of business. These two agencies can control the industrial and commercial systems just as easily. There is no doubt of the authority, the legal authority, for such control. The Government, either State or the General Government, or both, have the right to regulate and control the profits of industrial and commercial institutions by regulating the cost of production and the selling price.

Another thing. Listen once more, you employer! You whose source of profit is the margin of the day's labor. If your profit is so much per man per day, the nearer you keep to your capacity in men and working days the more money you will make. What you want are men on the job and the job ready; that is, the factory or the store running to capacity and running six days in the week. Inasmuch as your profit comes from the men and the women employed, let them have a voice in determining who shall be their associates and shopmates. If the profit comes from the employment, the service performed, it makes no difference to the owner or operator whose hands do the work, whether this man or that, provided, of course, that they be of equal skill, or, in the case of a store, of equal presence and adaptability. But it may make a great deal of difference to the man or woman who stands next to him day after day and month after month.

Oh, I have heard it said that this is idealism. I say not. I say that it is common honesty and common sense. It is just

plain, everyday justice between man and man. It is just old-fashioned patriotism of the Washington kind, of the Lincoln kind, and the Roosevelt kind.

Then, I say have a committee to sit with the management in matters of employment and discharge, another on complaints and grievances, another on working conditions and welfare. This will get rid of the lockout and the blacklist. Oh, I hear some one say that this is turning your business over for another to run. Nothing of the kind. Most States have laws against blacklists; all should have.

The employer ought to remember that the community, the public, the State, and the General Government are interested not only in the fact that the factory and the store are open and running, but are interested in how they are running. No man now or ever has operated a factory or store just as he wanted to. If he did, we would have made little progress in the world. Our industrial system is founded upon a different basis. The State and the General Government have always told, and always will tell the owner how he can and how he can not run his factory or his store. It has told him through the child-labor law; through the hours of labor; through sanitary regulation; through minimum wage legislation; and through hundreds of other ways. No, no man will lose control of his own business by having a committee, such as I have indicated of his own employees, acting with him. It will hold his business together. It will tend to bring about a harmony all along the line, and harmony is the strength of all institutions.

And then there are two other things I want you to think about. They are the old-age pension and the disability pension. The infirm and the unfortunate should not be left to shift for themselves, to make their way as best they can when their earning capacity is gone. Oh, some one asks what is the use of giving a bounty on a wasted life. Shame on the man or woman who would thus speak of the enfeebled and the ill-fated. Humanity throughout all ages has been calling to the helpless, and she is still calling. She calls to you and to me to help her.

I have outlined a few of the things which, to my mind, would work incalculably for the betterment of our countrymen. In my judgment, there has never been such a demand for human agencies to establish a plan to correct the unjust ratio of distribution of the earnings of our people, engaged in productive pursuits. And these things ought to come voluntarily as parts of the new system. I hope God Almighty will open the eyes of the people of America so they will behold their duty.

Times and institutions are changing, for we are living in the changing times of man. To-morrow will be different from to-day; next year will be different from this, and thus we go on and on. We are constantly changing, constantly developing. The human understanding is progressing, is advancing, I hope, higher and better for the welfare of our people and our Nation.

It takes no sage to see that we are not living in a changeless age, amid a people changeless in ideas and in temperament and in sentiment. One has but to read and know the past and then look around and behold the present. He has but to read and think and see.

There never was a time when as many eyes are looking in upon the acts of men of affairs as now, the national pulse never has beaten higher and stronger, the public conscience never was so sensitive, the Nation never has drawn so close to the individual nor the individual drawn so close to his Government. Never have the people been so concerned not only for the present but for the great, wide future of our institutions, and likewise never has the Government been so solicitous, so anxious for the future of her citizens.

Ten million men answered the call to war with a cheer; 5,000,000, her cleanest of limb and truest of blood, fell into line. The Government knows every man, every age, every home, everything about everyone of her sons. The most glorious thing in our history is the way the people of this country accepted and responded to the selected or conscripted Army plan. And by the way, the sting has gone out of that word "conscript"; it is enough to know that the man was a soldier of the great Republic of the West. Every industrial institution, every shop and store throughout the land, wherever men are employed, has its honor roll and its service flag. Some of these contain thousands and thousands of names and stars. Every name, every star represents a toiler who left his bench, his machine, his forge, his counter to answer his country's call. The Nation will never forget these young men. Of course, the Government is solicitous of the future of these young men, of their welfare through life. She is solicitous of those who remained in the fields, at the forge, in the shop, on the railways, on the sea, those who fed and clothed and toiled that America's Army might be what it was. She would be an ungrateful Nation if she were not solicitous. The future can be read, it seems to me, in the light of the signs of the times, and those signs are a deeper solicitude, a closer friendship, a more tender affection for the man who toils with his hands and fights the Nation's battles with his hands and with his heart.

Pay of Members of the House of Representatives Who Served in the Army.

EXTENSION OF REMARKS
OF
HON. RICHARD WAYNE PARKER,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. PARKER of New Jersey. Mr. Speaker, on the 4th of March, only an hour before adjournment, when the question came up of the rights of Members who served in the Army during this war, and especially their right to salary, reference was made to the case of Gen. Wheeler, of Alabama, in the Spanish War. I then stated that I had been on the Committee on the Judiciary at that time and disagreed from other members of the committee, being of the opinion that while Members were away from the House on a temporary service or in a temporary office they were not Members of the House, but that such temporary service did not necessarily forfeit the seat, but might only suspend it, unless objection was made. I therefore asked and obtained leave to print the reports on that subject, which are now not to be had, and to add a few remarks on the history of the case. The reports are voluminous, but they are exhausted and the matter is of great importance and should be understood.

In the Fifty-fifth Congress Joseph Wheeler, of Alabama; Edward E. Robbins, of Pennsylvania; David G. Colson, from Kentucky; and James R. Campbell, from Illinois, accepted commissions in the Volunteer Army. On December 21, 1898, the House of Representatives passed the following resolution, which had been introduced by Hon. Joseph W. Bailey, to inquire whether any Member of the House had accepted any office under the United States and whether the acceptance of such office vacated the seat of the Member. A report (No. 2205) of 70 pages was filed by Mr. Henderson, with a resolution that they vacated their seats when they accepted military office and were not then Members of Congress. Mr. John J. Jenkins, of Wisconsin, dissented. Mr. DeArmond filed a second part of the report with even stronger views than the majority, especially as to the Canadian commissioners. Mr. PARKER of New Jersey, in minority views (part 3 of the report), urged that while acceptance of a permanent office should be held by the House to vacate the membership permanently, an acceptance for emergency, whether military or civil, of a temporary office may, and in case of public necessity should, be held by the House at most to create only a temporary vacation of the seat; that is, a suspension of membership during the emergency. He pointed out (Report, part 3, pages 5–11) that, whereas the British statute vacated the seat if the member accepted an office, but allowed the man who held the office to be elected to Parliament, the American Constitution declared only that no person holding office under the United States might be a Member of either House during the continuance of that office, so that if the office were temporary the vacancy might be temporary. I pointed out also, on page 10, that in all the cases of Volunteer officers rather than Regular Army officers—Col. Yell in 1846, Col. Baker in the Mexican War, Vandever, Schenck, Blair, and Herrick in the Civil War—the officers remained in Congress and no action was ever taken against them.

Gen. Wheeler was appointed major general of Volunteers May 4, 1898, drew his pay as such, but drew no pay in Congress, and was finally appointed to the Regular Army. His statement is on pages 29 to 37 of part 1; also page 42. Edward Everett Robbins was appointed captain of Volunteers in June, 1898, and mustered into service July 1; was mustered as major and quartermaster August 19 and was discharged in October. He came back and occupied his seat in Congress, drawing no pay in the Army, but drawing his salary as a Member of Congress. He made a full statement on pages 16 to 29. James R. Campbell was colonel of the Ninth Illinois Volunteer Infantry, and David

G. Colson, whose letter is on page 38, was colonel of the Fourth Kentucky Volunteer Infantry. Both were appointed in June, 1898, neither having been discharged in January, 1899.

Campbell seemed to have drawn his Army pay and congressional pay. Colson drew only his congressional pay. (See part 1, pages 2 and 3.)

Under the resolution questions were also raised as to membership in the peace and Canadian commissions, membership in the industrial or labor commissions, and membership in the Hawaiian commission. Gen. Wheeler's statement (page 33) on January 25, 1899, quotes Attorney General Griggs's decision that a response to a temporary call should not mean a complete and final severance of his relations with civil life. Gen. Wheeler takes the point (page 32) that every citizen of the United States is primarily a member of the militia and that an officer of the militia, if called out, becomes an officer of the United States, and that it is impossible to hold that his seat in Congress is forfeited ipso facto.

I simply refer to these arguments. I found it impossible to agree with the views of the strict constructionists that any man who aids his country in case of necessity and in time of emergency shall therefore and thereby absolutely forfeit his seat in this House. I am of the opinion that while he is under command of the President as an officer his membership of the House is suspended and that he has no legal right to his salary as a Member of Congress, but must accept whatever pay belongs to the office in which he serves.

The view of Maj. Robbins, our late lamented friend, and of Col. Colson seemed to be that they could do service for the United States in the vacation under any title if only they did not accept any salary from the United States except their official salaries as Members of Congress. I myself think that this is not quite in accord with the Constitution, for possibly the essence of an office lies in the duty imposed upon the man and not in whether he is paid or not; and I believe it more consonant with the opinion of Attorney General Griggs to hold that if a Member of Congress accepts a temporary office he can not be a Member of the House during the continuance of the office. Perhaps the strongest case would be that of a State militia officer who is at the same time a Member of Congress but who is called out by the President to enforce the laws of the United States against a mob. He certainly should not forfeit his place as Member of Congress for performing his duty as a citizen and an officer of the militia, but I do not see how he could perform his duties as Member of Congress, or properly receive his salary, during his absence on this duty.

The Fifty-fifth Congress, like all Congresses before that time, refused to decide this question. In previous Congresses the matter had been very fully debated and was simply not decided. In the Fifty-fifth Congress (RECORD, vol. 32, p. 2751, Mar. 2, 1899), when the resolution was moved by Mr. Henderson, the question of consideration was raised by Mr. Lacey, a veteran of the Civil War, and the House refused to consider the resolution by a vote of 77 to 164.

At that time several Members of the Senate were serving abroad upon a peace commission, and some Democratic leaders were supposed to be quite willing to bring that question before the House upon the argument of this resolution. However that may be, the floor leader, the Hon. Joseph W. Bailey, resigned that place as such shortly after the refusal of consideration.

I append these reports and views so that the House may have access to this material.

APPENDIX.

[House Report No. 2205, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. HENDERSON, from the Committee on the Judiciary, submitted the following report:

On December 21, 1898, the House of Representatives passed the following resolution:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House—

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

The committee at once entered upon the consideration of the resolution by instituting inquiries as to what Members of Congress were holding positions other than that of Member of the House.

The following letter was addressed to the War Department:

DECEMBER 23, 1898.

Gen. H. C. CORBIN,
Adjutant General United States Army, Washington, D. C.

DEAR GENERAL: I inclose herewith resolution No. 354, which passed the House December 21, 1898, and was referred to this committee.

I am instructed by the Committee on the Judiciary to request a statement of the names of Members of the House of Representatives who have entered the service of the United States during the Spanish-American War. I have information going to show that Hon. Joseph Wheeler, of Alabama; Hon. James R. Campbell, of Illinois; Hon. David G. Colson, of Kentucky; and Hon. Edward E. Robbins, of Pennsylvania, since their election to the Fifty-fifth Congress, have entered the service of the United States in connection with said war. I inclose herewith an official list of Members of the House of Representatives of the United States, and their places of residence, of the Fifty-fifth Congress, and would ask you to advise this committee what the facts are as to the mustering into the United States service of these or any other Members of the present Congress; the date of their muster is requested, whether they are now in the service, and if not, when they were discharged; whether they or either of them have been paid by the United States, and if so, to what dates, and which, if any, are still in the military or naval service of the United States.

Very respectfully, yours,

D. B. HENDERSON,
Chairman of the Committee on the Judiciary.

To which the following answer was received:

WAR DEPARTMENT,
Washington, D. C., January 3, 1899.

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

2 SIR: In reply to your letter of December 23, 1898, to The Adjutant General of the Army, inclosing a copy of resolution No. 354, passed December 21, 1898, and inquiring for the Committee on the Judiciary a statement of the names of the Members of the House of Representatives who have entered the service of the United States during the Spanish-American War, and the facts relative to the mustering into the United States service of such Members, dates of their muster, whether now in service, and, if not, when discharged, when paid by the United States, etc., I have the honor to inclose a statement giving such information as the records of the department afford respecting muster in, service, pay, etc., of Maj. Gen. Joseph Wheeler, United States Volunteers; Maj. E. E. Robbins, quartermaster of Volunteers; Col. James R. Campbell, Ninth Illinois Volunteer Infantry; and Col. David G. Colson, Fourth Kentucky Volunteer Infantry, who are believed to have been at the dates of their entrance into the Volunteer service, respectively, Members of the House of Representatives, although no official statement has been made to this department to the effect that they were such Members. The department has no information which would indicate that any Members of the House of Representatives other than those named have served in the United States Volunteers during the War with Spain.

Very respectfully,

R. A. ALGER,
Secretary of War.

Statement.

[From the official records, relative to persons appointed in the United States Volunteer Army who are believed to have been Members of the House of Representatives at the dates of their appointments, respectively.]

Name.	Date enrolled.	Date mustered or sworn into United States service.	Residence when appointed.	Period for which paid to last recorded payment.
		1898.		
Joseph Wheeler, major general United States Volunteers.	.....	May 6	Wheeler, Lawrence County, Ala.	May 6 to Sept. 30, 1898.
Edward Everett Robbins, major and quartermaster Volunteers.	.....	Aug. 19	Greensburg, Pa...	No pay recorded.
James R. Campbell, colonel Ninth Illinois Volunteer Infantry.	June 28	July 11	McLeansboro, Ill..	June 28 to Sept. 30, 1898.
David G. Colson, colonel Fourth Kentucky Volunteer Infantry.	July 27	July 27	Middlesboro, Ky..	No pay recorded.

NOTE.—Maj. Robbins was honorably discharged October 14, 1898. The other officers named are still in service.

H. C. CORBIN,
Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
January 3, 1899.

Subsequently, it being brought to the knowledge of the committee that Hon. J. HAMILTON LEWIS, of Washington, had served in the Spanish-American War after being qualified as a Member of Congress, the following letter was addressed to the Secretary of War:

WASHINGTON, D. C., *January 10, 1899.*

Hon. R. A. ALGER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: It is reported to me as chairman of the Committee on the Judiciary that Hon. JAMES HAMILTON LEWIS, of Seattle, State of Washington, was in the Army of the United States, present war. Will you kindly advise me what the records show in respect to this case? My request is in compliance with the inclosed House resolution.

Very respectfully, D. B. HENDERSON.

To which letter the following answer was received:

WAR DEPARTMENT,
Washington, D. C., January 17, 1899.

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

3 SIR: In reply to your inquiry of the 10th instant, as to what the records show respecting the services in the Army during the present war of the Hon. JAMES HAMILTON LEWIS, of Washington, I have the honor to inform you that Mr. LEWIS made a tender of his services as a volunteer aid on the staff of Maj. Gen. Brooke when that general went to Porto Rico in July last; that his voluntary services were accepted as tendered, and that he served for a time in

Porto Rico as a volunteer aid on the staff of Gen. F. D. Grant. Mr. LEWIS was not a commissioned officer in the military service, received no pay as such, and had no legal status as an officer.

Very respectfully,

R. A. ALGER,
Secretary of War.

The following letter was addressed to the Sergeant at Arms of the House of Representatives:

WASHINGTON, D. C., *January 7, 1899.*

Hon. B. F. RUSSELL,
Sergeant at Arms, House of Representatives.

DEAR SIR: In order to qualify the Committee on the Judiciary with a complete knowledge of the facts essential for the inquiry embraced in House resolution 354, I respectfully ask a statement of payments made, with dates thereof, to the following Members of the present House of Representatives, namely, Joseph Wheeler, of Alabama; E. E. Robbins, of Pennsylvania; James R. Campbell, of Illinois; and David G. Colson, of Kentucky.

Yours, truly,

D. B. HENDERSON,
Chairman Committee on the Judiciary.

To which the following answer was received:

OFFICE SERGEANT OF ARMS, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 9, 1899.

Hon. D. B. HENDERSON,
Chairman Judiciary Committee, House of Representatives.

SIR: Replying to your communication of January 7 instant, as to payments of certain Members of the present House of Representatives, in connection with House resolution No. 354, I have the honor to report as follows:

Hon. Joseph Wheeler, of Alabama, was last paid June 3, 1898, for May salary, also mileage for the first and second sessions, on certificates signed by him and approved by the Speaker of the House. He has not signed certificates since that date, nor has he claimed salary.

Hon. E. E. Robbins, of Pennsylvania, has been paid each month up to and including salary for the month of October, due November 3, 1898, upon certificates signed by himself and approved by the Clerk of the House in vacation, also paid mileage for the first and second sessions of this Congress, but not for the third session.

Hon. J. R. Campbell, of Illinois, has been paid each month up to and including salary for the month of October, 1898, due November 3, 1898, upon certificates signed by him and duly approved by the Clerk of the House during the vacation. He has also been paid mileage for the first and second sessions, but not for the third session.

Hon. D. G. Colson, of Kentucky, has been paid each month up to and including salary for the month of November, due December 3, 1898, upon certificates signed by him and duly approved by the Clerk of the House, during vacation. He has also been paid mileage for the first and second sessions of this Congress, but not for the current session.

Very respectfully, yours,

B. F. RUSSELL,
Sergeant at Arms House of Representatives.

By order of the committee a letter was sent to Hon. Joseph Wheeler, Hon. Edward E. Robbins, Hon. David G. Colson, and Hon. James R. Campbell, of which a sample is given in the following letter to Gen. Wheeler:

WASHINGTON, D. C., *January 6, 1899.*

Maj. Gen. JOSEPH WHEELER,
Care of the War Department, Washington, D. C.

MY DEAR GENERAL: I hand you herewith a copy of House resolution No. 354, with which you are possibly familiar.

I write for the purpose of asking whether you desire to be heard with respect to this resolution, which was referred to this committee by a vote of the House. The committee will be very glad to hear from you, if you desire, either orally or in writing, and to receive any authorities which you may wish to offer.

Very truly, yours,

D. B. HENDERSON,
Chairman Committee on the Judiciary.

4 The committee deemed it to be its duty to bring the resolution No. 354 to the attention of any Members of the House who had under any legislation held any position while at the same time acting as qualified Members of Congress. They therefore sent the following letter to Hon. R. R. Hitt, a member of the Hawaiian Commission:

WASHINGTON, D. C., *January 17, 1899.*

Hon. R. R. HITT, M. C., *City.*

MY DEAR SIR: I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. This notice is sent to you because of your appointment under public resolution No. 51 as a member of what is known as the Hawaiian Commission.

Very truly, yours,

D. B. HENDERSON,
Chairman.

It was found that the following Members of the House had been appointed members of what is known as the Postal Commission, namely: Eugene F. Loud, W. H. Moody, T. H. Catchings, and W. H. Fleming. To each of these was sent a letter, of which the following to Hon. Eugene F. Loud is a copy:

WASHINGTON, D. C., *January 17, 1899.*

Hon. EUGENE F. LOUD, M. C., *City.*

MY DEAR SIR: By direction of this committee I inclose herewith House resolution No. 354, and beg to notify you that the committee has made Tuesday, January 24, 1899, 10 o'clock a. m., a special order for hearing those who desire to be heard on said resolution. As you are a member of the commission created by section 5 of the act approved June 13, 1898, known as Public, No. 131, I bring this matter to your attention, so that you may be heard, if you so desire.

Very truly, yours,

D. B. HENDERSON,
Chairman.

It was also found that the following Members of the House had been appointed members of the Industrial or Labor Commission, namely: John J. Gardner, William Lorimer, L. F. Livingston, John C. Bell, and Theobold Otjen. To each of these a notice was sent, the following, to Hon. John J. Gardner, being a copy:

WASHINGTON, D. C., *January 17, 1899.*

Hon. JOHN J. GARDNER, M. C., *City.*

MY DEAR SIR: I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. Your being a member of the United States Industrial Commission has made it my duty to bring this matter to your attention.

Very truly, yours,

D. B. HENDERSON,
Chairman.

By direction of the committee notices of the hearing were also sent to Messrs. Wheeler, Colson, Campbell, and Robbins, the following, to Hon. Joseph Wheeler, being a copy of said notice:

WASHINGTON, D. C., *January 17, 1899.*

Hon. JOSEPH WHEELER, M. C., *City.*

MY DEAR GENERAL: By direction of this committee I inclose herewith House resolution No. 354, and beg to notify you that the committee has made Tuesday, January 24, 1899, 10 o'clock a. m., a special order for hearing those who desire to be heard on said resolution.

Very truly, yours,

D. B. HENDERSON,
Chairman.

5 On the 24th of January, 1899, in pursuance of the notices referred to, a hearing took place, as follows:

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 24, 1899.

The committee having under consideration House resolution No. 354, met at 10 a. m. for the purpose of hearings on the resolution, which is as follows:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House—

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

INDUSTRIAL COMMISSION.

STATEMENT OF HON. THEOBOLD OTJEN, A REPRESENTATIVE FROM THE STATE OF WISCONSIN.

Mr. Chairman and gentlemen of the committee, the first section of the act creating the Industrial Commission provides that the commission shall be called the Industrial Commission and shall be composed of five Members of the Senate, to be appointed by the Presiding Officer thereof; five Members from the House of Representatives, to be appointed by the Speaker; and nine other persons who shall fairly represent the different industries of the country, the employee and employer, and the producer and the consumer, to be appointed by the President with the advice and consent of the Senate.

The second section prescribes the duties of the commission; that they shall be to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, and to business, and report to Congress, and to suggest such legislation as it may deem best upon these subjects.

The third section is similar; that it shall furnish such suggestions along these lines as may be deemed best for uniform legislation by the various States of the Union, in order to harmonize conflicting interests and to be equitable to the laborer, the employer, the producer, and the consumer.

The commission was appointed for two years, according to the act. So far as the legal status of the question is concerned, I have spent but very little time in the investigation of the subject. I think, as a member of the Industrial Commission, I hold no office such as is intended to be covered by the provisions of the resolution you are considering, or any civil office under the authority of the United States. In the first place, we are officials created by Congress. We are appointed by the Speaker of the House, and our duties are to collect information for Congress solely. We do not have to qualify, and are not confirmed by the Senate. The commission is to be continued for two years. We do not receive a cent for our services, and even the Comptroller of the Treasury has ruled that we are not entitled to our necessary traveling expenses during the time when Congress is not in session. We are allowed necessary traveling expenses only when we are on a trip making investigations as a subcommission, by order of the commission.

6 The CHAIRMAN. What do the other members of the commission receive?

Mr. OTJEN. The noncongressional members receive $3,600 per year.

The CHAIRMAN. Are you all allowed traveling expenses when out on special missions making investigations for the commission?

Mr. OTJEN. Yes, sir.

Mr. TERRY. Is not the same provision made in regard to all the members of the commission?

Mr. OTJEN. No. The Senators and Representatives receive no salary.

Mr. TERRY. I mean in regard to traveling expenses?

Mr. OTJEN. They are all on the same basis. The comptroller rules that we are entitled to traveling expenses between our homes and Washington but once.

Mr. SMITH. Does he hold that they are all entitled to traveling expenses by reason of the performance of their duties under that act or under some other general clause?

Mr. OTJEN. It is under this act. This commission meets on the first Tuesday of every month, and the comptroller holds that Washington is the place of business for this commission, and that we are supposed to be here. He says we are entitled to our expenses here once, but no more.

The CHAIRMAN. In the event of a member not being reelected, the law provides he shall have the same salary as the other members of the commission?

Mr. OTJEN. Yes, sir. If a Senator or Member is not reelected, he shall remain on the commission and receive the same salary as any other member of the commission.

Mr. ALEXANDER. You were reelected?

Mr. OTJEN. I was.

Mr. TERRY. Was this commission created during your term of service in Congress?

Mr. OTJEN. It was.

The CHAIRMAN. Perhaps you would prefer to conclude your remarks without further questioning.

Mr. OTJEN. This commission is really in the nature of a special committee of Congress to gather information for Congress. We are serving thereon and performing that duty by direction of the House of Representatives, and it is not an office under the United States, and the duties are not inconsistent with those of a Member of Congress. The duties are really consistent with those of a Member of Congress, because it is a legislative duty.

Mr. UNDERWOOD. Does your commission provide any other function except that of gathering information?

Mr. OTJEN. No, sir; they are to make investigations upon certain subjects as directed in this act, and, when made, it then becomes their duty to report to Congress, and to Congress only.

Mr. RAY. And to suggest legislation?

Mr. OTJEN. Yes, sir.

Mr. TERRY. You investigate and make recommendations to Congress?

Mr. OTJEN. Yes, sir. I suppose the idea of putting Members of the House and Senate upon the commission was that they should be informed upon these subjects which are to be recommended by the commission, so that when the subject comes up we will know the
7 reasons for the recommendations which have been made by the commission.

Mr. PARKER. Read the third section.

Mr. OTJEN. The second and third sections are similar. The third section says that the commission shall furnish such information and suggest such legislation as may be best for the various States, in order to harmonize the interests affecting labor, employer, employed, producer, and consumer.

Mr. PARKER. You are to suggest such legislation by Congress as may be deemed best for the States, and not to make suggestions to the States?

Mr. OTJEN. We have no authority to suggest anything to the States. Whatever recommendation this commission makes must be to Congress.

Mr. PARKER. Read the seventh section, so that it may be in the record.

The CHAIRMAN. That paragraph will speak for itself.

Mr. OTJEN. That section provides as follows.

Mr. PARKER. If that section were to be declared unconstitutional, would that, in your judgment, affect the main part of the law? Could not that part of it be held unconstitutional without affecting the rest of the law?

Mr. OTJEN. Yes; that is true.

The CHAIRMAN. Are there any other members here from the Industrial Commission?

Mr. OTJEN. I understand that the chairman of the Committee on Labor, Mr. Gardner, has compiled a brief in which he cites the law upon the subject.

POSTAL COMMISSION.

STATEMENT OF HON. WILLIAM H. MOODY, REPRESENTATIVE FROM THE STATE OF MASSACHUSETTS.

Mr. Chairman and gentlemen of the committee, the Postal Commission was created by act of Congress approved June 13, 1898, which is the general Post Office appropriation bill. The commission is created by the fifth section of the act, the material parts of which I will submit to the committee. It creates a commission consisting of the chairmen of the House and Senate Committees on Post Offices and Post Roads, and three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker.

The duties of the commission are to ascertain whether or not excessive prices were charged by railroad companies for postal transportation and to investigate other postal questions. The commission is authorized to employ experts, clerks, stenographer, or incur other clerical expenses. They are authorized to ask details to be made by the Postmaster General for assistance to the commission. They are authorized to administer oaths, examine witnesses, and sit during the recess of Congress. The commission is directed to report on or before February 1, 1899, embracing the testimony taken and the conclusions reached by the commission, and the recommendation of the commission may be made by bill or otherwise. An appropriation is made for the necessary expenses of the commission.

Mr. SMITH. To whom is the report made?

8 Mr. MOODY. The report is made to Congress. The committee will observe that there is one distinction between the Industrial Commission and this commission, and that is that this is a purely congressional commission, as to its membership, and that two of the members are determined by the act itself and the others are selected by appointment by the President of the Senate and the Speaker of the House of Representatives. The question is so clear that I will not argue it at any length.

But now that I am here, I desire to emphasize only one proposition. That proposition is that the members of the commission are not holding office under the United States. The section of the Constitution under which these proceedings and inquiries are held prescribes that "no person holding any office under the United States shall be a member of either House during his continuance in office." I take it that it is clear that a person "holding office under the United States" is an "officer" of the United States. In the Constitution itself one of the essential elements of an officer of the United States is described.

By section 2 of Article II, the appointment of the officers of the United States is regulated. It is in the enumeration of the powers of the President, and is contained in this language:

"He shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments."

The proposition submitted to the committee is that the only way in which an officer of the United States can be created is by appointment by the President, either with or without confirmation by the Senate, or by the courts of law or by the heads of departments. It would, perhaps, seem not necessary to go beyond the language of the Constitution itself to demonstrate the truth of that proposition, but fortunately we have the precise question in a decision of the Supreme Court in the case of United States v. Germain, which is found in Ninety-ninth United States Statutes, page 508.

The case came up on a certificate of division of opinion from the circuit court of Maine. The accused was a pension examining surgeon, the nature of whose functions are familiar to the committee. He was indicted under a statute which provides that "every officer of the United States who is guilty of extortion under cover of his office shall be punished, etc." He was defended by the present Speaker of the House of Representatives.

The precise question presented to the court was whether a person performing the functions of an examining surgeon was an "officer" of the United States, and the defendant's counsel made the argument which I have submitted to this committee. It is always profitless to read from opinions, and I do not propose to do it before this committee, because I am sure they have examined this case; but I will say to the committee that this court ruled in terms that there could be no officer of the United States, unless he were appointed by the President, with or without the consent of the Senate, by the courts of law, or by the heads of departments. Obviously this official was not appointed by the President nor by the courts of law, and so the court passed to the consideration of the question whether the Commissioner of Pensions is the head of a department. The court concluded that he is not the head of a department, and therefore decided that the defendant, not being an officer of the United States, was not liable to the penalties prescribed for officers of the United States.

9 Mr. RAY. The Constitution divides the United States into three great departments—the legislative, the executive, and the judicial. Who is the head of the legislative department?

Mr. MOODY. It had not occurred to me that the legislative department has any head. It had not occurred to me that that part of the Constitution referred to the political departments of our Government.

Mr. RAY. What I wanted to bring out was what you have to say, if anything, in regard to the fact that the Constitution refers to three departments—legislative, executive, and judicial—and as the Congress of the United States is a legislative department by itself, would you claim that the Speaker of the House and the President of the Senate are, or are not, heads of that department, and that appointments made by them are made by the head of a department?

Mr. MCCALL (to Mr. Moody). Read the provision of the Constitution. It is evident that where these officers shall be appointed by the courts of law and heads of departments, they are not using——

Mr. MOODY (interposing). In addition to the suggestion made by Mr. McCall, I will again refer to the provision of the Constitution which says, "Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments." It seems to me that it is not intended to mean that Congress may by law invest appointments in the President, courts of law, or in itself, because that would be the construction. If the department mentioned was Congress itself, it would hardly seem necessary to use the language which was used.

Mr. RAY. The Supreme Court of the United States expressly decided that the Constitution refers to Cabinet officers when it speaks of heads of departments.

Mr. MOODY. I was just going to say, that in the case of the United States v. Germain, in language which I will not undertake to read, it decided that the word "department" in that section of the Constitution means departments not then in existence.

Mr. TERRY. The effect of the decision of the Supreme Court of the United States would substantially be that any person appointed to one of these offices, whatever it may be called, if not appointed by the head of a department, would not be entitled to the office, and that he would be appointed unconstitutionally.

Mr. MOODY. That is assuming the very proposition in dispute. The particular duties which are performed by any person can not be called an office.

Mr. TERRY. Let me suggest that the question as to whether particular functions exercised by a party is an office or not does not depend so much on who appointed him as on the duties he is appointed to perform.

Mr. MOODY. I would agree to the proposition that it depended in some measure on the nature of the duties which he was called on to perform, but I should still insist that, whatever the nature of the duties were, if Congress authorized the appointment in some other way than in the clause of the Constitution referred to, that he must be described by some other designation than that of an "officer" of the United States.

A good many people may serve the United States in different ways, but it does not follow that they are "officers" of the United States, and my specific contention is that they are not to be so described unless appointed in the manner pointed out in the Constitution.

10 Mr. RAY. In three different cases the Supreme Court of the United States has reiterated that opinion, and they also expressed the opinion that many persons usually denominated "officers" holding places under the United States are not officers under the United States, but merely Government agents or employees appointed by the President or the heads of departments.

Mr. MOODY. That is my understanding of the law, but I did not want to weary the committee with other citations.

The CHAIRMAN. Your contention is that this postal commission is a good deal like the Committee on Appropriations, or a committee sent to bury a deceased Member of Congress, or a committee created by special appointment.

Mr. MOODY. Yes, sir. Suppose Congress in the case of our esteemed friend, Mr. Loud, had enacted that as chairman of the Committee on the Post Office and Post Roads he should be a member of this commission, it would be rather startling to think that Congress can specifically designate a Member by description to perform a certain duty, and report to Congress in aid of its functions of legislation, and after the work is done say that he shall forfeit his seat.

Mr. TERRY. You called attention to section 2 of article 2, and I will call your attention to section 6 of article 1 (reading): "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments thereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

Mr. TERRY (continuing). I suppose your answer to that, according to the argument you have made, would be that your appointment is not an office in the meaning of that word "office"?

Mr. MOODY. That is my argument. I understand the general meaning of the first part of that section to be that nobody can be constitutionally appointed to a civil office which was created while he was a Member of Congress or the emoluments of which have been increased while he was a Member. It applies to a civil office.

Mr. TERRY. You contend that appointment to office will be illegal, or by the acceptance of it he would forfeit his seat in Congress?

Mr. MOODY. You mean appointment to a civil office?

Mr. TERRY. There are two ways of viewing it; one is that the appointment itself would be illegal, and, secondly, acceptance of it would forfeit the office previously held.

Mr. MOODY. My opinion upon that question would be conjectural, and I do not think it would be valuable to the committee.

The CHAIRMAN. Did any members of the commission who are Members of the House receive any compensation as members of the commission?

Mr. MOODY. No, sir; the law provides for the payment of the necessary expenses, and those expenses have been paid.

Mr. SMITH. I wanted to ask you if you consider that there is any distinction between an officer of the Government and an officer "under the authority of the United States?" The Constitution, my recollection is, uses the language "no person holding office under the authority of the United States."

Mr. MOODY. I did draw distinction between an officer or a person holding office under authority of the United States and the general popular description of holding office under the Government. We
11 speak of a good many persons holding office who are not officers of the United States.

Mr. SMITH. Do you mean that to be officers of the United States they must be appointed by the President and confirmed by the Senate or be appointed by courts of law or by the heads of some one of the departments?

Mr. MOODY. Yes.

Mr. SMITH. The point I would like to have you answer is whether it is necessary to constitute a person an officer under authority of the United States that he shall have been appointed in that way?

Mr. MOODY. That is my opinion. I would not, however, adopt the converse proposition that everybody appointed in this manner was necessarily an officer of the United States.

Mr. TERRY. Since you were appointed on this commission you have been reelected by your constituents?

Mr. MOODY. I have.

HAWAIIAN COMMISSION.

STATEMENT OF HON. ROBERT R. HITT, A REPRESENTATIVE FROM THE STATE OF ILLINOIS.

Mr. Chairman and gentlemen of the committee, I have no statement which I desire to volunteer, but if there is any information I can give the committee I will be glad to do it. The legislation annexing Hawaii is familiar to the committee. It provided for annexation and the incorporation of the islands into the Republic of the United States, but did not extend the laws of the United States over the islands. It provided that the municipal legislation prevailing there should continue in force temporarily, the persons and manner of administration of office to be as directed by the President, and that a commission, to be selected by the President, should inquire and report to Congress, recommending legislation necessary to be enacted.

I was requested by the President to be one of that commission. The joint resolution provides that the commissioners shall be appointed by the President, by and with the advice and consent of the Senate. I was designated by the President, met the commissioners, my colleagues, subsequently, and we collected all the information that we could get for the purpose of aiding Congress when it should come to complete the legislation necessary to supplement annexation. In the performance of this duty my colleagues, as well as myself, believed we had authority to do only what I consider legislative duty, and we discharged that only. We declined in all cases to listen to parties who wished to have us perform other duties. The Japanese minister resident endeavored to communicate with us and get our aid in other matters, but we informed him that we were not there for the purpose of dealing with foreign governments, but were merely appointed to inquire by direction of Congress for its information. It was the same with persons who wished to submit claims, and so of all other things, except the mere collection of information and the consideration of the recommendations we would make to Congress. We excluded everything else. As to compensation, the necessary expenses were provided for from the appropriation in the joint resolution, and nothing more.

Mr. RAY. Have you any power conferred by any law except to inquire as to facts and recommend legislation to Congress?

12 Mr. HITT. No other. In my designation—I am sorry I could not lay my hands on a copy of the paper appointing me which was sent to me by the President.

The CHAIRMAN. We have the act itself.

Mr. HITT. The act is there, on the first page of the report.

Mr. TERRY. In what form was your appointment evidenced?

Mr. HITT. It was in writing from the President, through the State Department.

Mr. TERRY. Did you make any report to the President?

Mr. HITT. It was not in form or words made to the President, but delivered to him for transmission. The law required that we should prepare recommendations to Congress. If the chairman will read the words——

Mr. TERRY. You did not report to Congress?

Mr. RAY (reading). "The President shall appoint five commissioners, two of whom shall be residents of Hawaii, to recommend to Congress concerning the Hawaiian Islands such legislation as they shall deem necessary or proper."

Mr. HITT. Here is the report which I hold in my hand. It is made in response or obedience to that law. It was communicated to the President. It is not addressed to the President.

Mr. TERRY. How is it addressed?

Mr. HITT. It is not addressed to anyone. It is simply entitled "Report" and proceeds "The commissioners appointed," etc., reciting the joint resolution "making the following report." That report complying with the resolution and making recommendations to Congress, and made by members of a commission named by the President of the United States, was sent through the President to the House.

Mr. TERRY. Do you desire to have that report considered, without being placed in the minutes, as a part of your testimony?

The CHAIRMAN. The law specifically says that the commission must report or recommend to Congress.

Mr. PARKER. When was this report made?

Mr. HITT. It was during the sitting of this Congress. I do not recall the day.

Mr. LANHAM. Were the duties discharged during the vacation or while Congress was in session?

Mr. HITT. During the vacation, and we also held meetings here in closing up the work after Congress had reassembled.

Mr. OVERSTREET. Were oaths administered to the members of the commission?

Mr. HITT. Yes. Oaths were administered to those who were not Members of Congress. Mr. Justice Frear and President Dole took the oath, but I do not recall the fact as to whether oath was administered to the Senators and Member.

Mr. TERRY. By whom was the oath administered?

Mr. HITT. It was administered by Judge Stanley, of Honolulu; not by one of the commission.

Mr. RAY. There is nothing in the law requiring an oath to be administered?

Mr. HITT. No officer of the commission administered an oath.

Mr. CONNOLLY. There is nothing in the act requiring an oath to be administered to anybody by anybody?

Mr. HITT. No. There was an oath administered to the employees requiring them to perform their duties and keep the proceedings secret.

13 Mr. TERRY. Is it usual in cases of the kind that oaths are administered to clerks, secretaries, or Members of Congress?

Mr. HITT. I do not think it is, but we thought it prduent in that case.

The CHAIRMAN. Your appointment was confirmed by the Senate?

Mr. HITT. No; it was not. At least I am informed that it has not yet been confirmed by the Senate.

The CHAIRMAN. The second clause says that "The commission hereinbefore provided for shall be appointed by and with the advice and consent of the Senate."

Mr. HITT. We were appointed in vacation, and we proceeded to our work. I have not occupied myself with the question of confirmation, but I understand that we have not been confirmed.

Mr. PARKER. You regard this as legislative work done at the request of the President?

Mr. HITT. Yes; but I understand it to be a mandate of Congress; that it was part of my legislative work. Here was an act which in its terms required legislative work—to prepare legislation for Congress.

Mr. LANHAM. There was nothing incompatible with your duties as a Member of the House in your performance of this duty?

Mr. HITT. Not at all.

The CHAIRMAN. You were under no orders except that of the law?

Mr. HITT. None.

The CHAIRMAN. The President did not control your acts?

Mr. HITT. He did not. The commission sat at a time when it did not conflict with my duties as a Member of the House, and I should have paid little heed to any work which conflicted with my duties as a Member.

Mr. TERRY. Did the President give you instructions?

Mr. HITT. There were no instructions given except by the joint resolution. The President said to us: "You gentlemen were concerned in this legislation. It indicates your duties, and it will guide you in the performance of those duties."

Mr. JENKINS. Do I understand you to say that you consider you were discharging the duties of a Member of the House?

Mr. HITT. I do not remember my expression, but I know that I understood that I only had authority to do duty that I considered legislative—not perhaps in my seat, but it all related to my duty in the House.

Mr. JENKINS. And you received your appointment from the President?

Mr. HITT. Yes, sir. The appointment was made by the President in obedience to this law.

Mr. JENKINS. But you did not need to discharge any duty as a Member of the House unless you received your appointment from the Speaker?

Mr. HITT. I think the suggestion you make is correct.

Mr. JENKINS. In your judgment, would it be necessary in the discharge of your duties as a Member of the House to obtain the consent of the Senate?

Mr. HITT. No; I think not.

Mr. BRODERICK. You have not been specially interested to know whether the Senate confirmed you or not. You have made your investigation and reported to Congress?

Mr. HITT. That is all that interested me. It is a duty that I was asked to perform—to gather information for the House. The commission have sent the results of their labors to the House and Senate.

14 Mr. LANHAM. Were there one or two Senators on the commission?

Mr. HITT. There were two Senators.

Mr. TERRY. Is it not usually the case that when the House wants information it appoints Members who go and hunt up the information?

Mr. HITT. It does. I have been on such commissions.

Mr. SMITH. That would not change the nature of the commission, if Congress authorized it to be done in some other way.

Mr. HITT. The function is the same as it was in the case of the monetary commission, on which I was appointed by Speaker Crisp—that is, to collect information, examine the subject, and make recommendation to Congress.

Mr. RAY. Supposing this House should pass a resolution directing the Speaker to designate 10 Members of the House to investigate a certain subject and recommend legislation relating thereto, and then pass another resolution directing the President to designate 10 Members to investigate a certain subject and recommend legislation relating thereto, would the 10 congressional members of either commission be doing anything except their duty as Members of the House?

Mr. HITT. I think their functions would be precisely the same. Of course, the idea undoubtedly was that the President might select Members or those not Members of the House, and also two who were not resident in this country, but whose advice and information it was deemed by Congress important to have.

Mr. TERRY. If this commission was regarded simply as a committee of the House it could not have had on it any person who was not a Member of the House, could it?

Mr. HITT. I do not think that that is a necessary conclusion, but I will not differ with your judgment.

Mr. TERRY. There were members of this commission who were not Members of the House and not residents of this country.

Mr. HITT. That is true. Those members acted throughout with this commission. It was, I suppose, to secure the services of men who were not Members of the House or Senate that that power was placed in the hands of the President by the joint resolution.

Mr. ALEXANDER. Were all the other members of the commission who were not Members of the House and Senate paid?

Mr. HITT. I believe not. I have understood from one of the members of the commission who is here that he has not been paid, and never asked nor expected any pay.

Mr. ELLIOTT. Were any other members of the commission citizens of the United States? Several were not citizens of the United States at the beginning.

Mr. HITT. They were citizens of the Republic of Hawaii, and the Republic of Hawaii was annexed to the United States, and the question of citizenship was one of the things we were dealing with. We have recommended to the House to determine exactly who shall be citizens of the United States. They were citizens of the Republic of Hawaii up to the time of the transfer of sovereignty to the United States. On the 12th day of August the flag of that country was taken down and the American flag was raised. The President of Hawaii took the oath

of allegiance to the United States, as did the officers of the Government generally all over the island, and from that time they regarded themselves as citizens of the United States.

Mr. ELLIOTT. What was the date of your appointment?

Mr. HITT. I can not recall the date, but it was early in July.

Mr. TERRY. After the passage of the act of annexation?

15 Mr. HITT. Yes, sir. It was during the month of July, soon after the passage of the joint resolution which was approved July 7, 1898. After we who had gone from Washington reached Honolulu the two Hawaiian commissioners were sworn in as members of the commission.

Mr. JENKINS. Do I understand your position to be that those who were on the commission not Members of Congress were citizens of the United States?

Mr. HITT. That is a question we proposed to settle by the bill we have presented, determining who are made citizens of the United States by annexation, and it included Hawaiians like President Dole and Justice Frear.

Mr. ALEXANDER. You have so recommended?

Mr. HITT. We have.

Mr. JENKINS. Then there were foreigners sitting with you as members of the commission?

Mr. HITT. I would not admit that. They were foreigners when we passed the law, but when the flag of Hawaii came down they took the oath of allegiance and became Americans, regarded themselves as such all the way through, and were under the orders of the President of the United States.

Mr. TERRY. You were appointed before the flag came down?

Mr. HITT. I was.

Mr. TERRY. And you went to Honolulu?

Mr. HITT. We did not reach there before the flag came down.

Mr. UNDERWOOD. The treaty provided that there should be two members from Hawaii?

Mr. HITT. Not the treaty, but the joint resolution. It provided that "the President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands."

Mr. UNDERWOOD. It was the authority by which we annexed the islands. The joint resolution provided that this commission should consist of two members from Hawaii.

Mr. HITT. Yes, sir.

Mr. TERRY. I believe the act says they shall be "residents" of Honolulu or Hawaii, not "citizens."

Mr. JENKINS. You say that no members received any compensation, not even the two residents of Hawaii?

Mr. HITT. I am very sure they have received no compensation. We received our necessary traveling expenses, or at least a part of them. As every gentleman is aware, members do not get all their expenses in such cases. We got railroad and steamboat transportation and hotel bills paid.

Mr. ALEXANDER. You were not appointed because you were a Member of Congress?

Mr. HITT. There is nothing in the joint resolution saying that the commissioners were to be or not to be Members of the House or Senate. There is nothing to indicate it. I can not tell what were the motives for my appointment.

Mr. TERRY. Of course, you could not have been appointed on this commission as a mere committeeman of the House.

Mr. HITT. There is nothing in the act to indicate what might have been the purpose in selecting them, but the inference, of course, is that Senators or Members of the House were appointed upon a commission inquiring and getting information for the Senate or House because it would be suitable and convenient thereafterwards—a quick and effective method of getting such information, with all explanations, before the House and Senate.

16 ARMY OFFICERS.

STATEMENT OF HON. EDWARD E. ROBBINS, A REPRESENTATIVE FROM THE STATE OF PENNSYLVANIA.

Mr. Chairman and gentlemen of the committe, I am here in obedience to a notice received from the chairman of your committee, which notice was sent out under resolution 354, inquiring whether any Members of this House had accepted another office under the United States; and, secondly, whether the acceptance of such office vacated the seat of a Member of the House.

I wish to preface my remarks by a statement which I believe controls my case, and an examination into the precedents so far as I have been able to discover them. The House is the judge of the qualifications of its own Members, and I shall be very glad to submit my case to this committee, in all of whom I have the greatest confidence:

I was elected a Member of the Fifty-fifth Congress from the second district of Pennsylvania and entered upon the discharge of my duties on the 15th of March, 1897, at the convening of the extraordinary session of Congress called by President McKinley.

Mr. RAY. Were you sworn in at that time?

Mr. ROBBINS. Yes, sir; it was on the 15th of March. I was regularly sworn in and entered upon the discharge of the duties of a Member of Congress. When war was declared between the United States and Spain, early in 1898, on the 21st of June I think it was, through the War Department I accepted a commission as captain and assistant quartermaster in the volunteer service of the United States.

The CHAIRMAN. The War Department puts you down as major and quartermaster of Volunteers, but your letter says you were a captain.

Mr. ROBBINS. I was appointed a captain and afterwards promoted to major and served in the Quartermaster Department. From Camp Thomas I went to Porto Rico. I was originally appointed as a captain.

The CHAIRMAN. Appointed by the President? You are reported as being sworn in as a major, and in August, 1898, as a quartermaster of Volunteers.

Mr. ROBBINS. That was the time of my promotion. I entered the service on the 1st of July, and after being in the service six months I was placed in the Quartermaster Department.

Mr. RAY. When did you receive a commission as captain?

Mr. ROBBINS. I think it was on the 21st of June.

Mr. RAY. That was from the President?

Mr. CONNOLLY. You entered as a quartermaster on the 1st of July?

Mr. ROBBINS. That was the time.

Mr. LANHAM. Congress was then in session?

Mr. ROBBINS. Congress was in session until the 8th of July.

Mr. LANHAM. That was during the time of your enlistment?

Mr. ROBBINS. Yes; I was sworn into the service regularly.

Mr. LANHAM. You were mustered in?

Mr. ROBBINS. I was regularly sworn in, as I understand it. During the time I was in the military service I drew no pay from the Government, but I drew my salary as a Member and retained my secretary and discharged my duties as a Member. That, I believe, is a statement of the facts controlling my case.

Mr. SMITH. When did you muster out?

17 Mr. ROBBINS. On the 14th of October, 1898, I was mustered out of the service, along with the large amount of Pennsylvania troops, and received an honorable discharge. Since that time I have been in no way connected with the military service and have been performing my duties as a Member, was present and answered to my name, and have been present in the House over since my discharge, performing my functions as a Member.

Mr. TERRY. Did you at any time accept pay as an officer of the United States Army?

Mr. ROBBINS. I never did. I never filed any vouchers and never accepted any pay.

Mr. CONNOLLY. You were entitled to pay.

Mr. ROBBINS. I never considered that I was entitled to two salaries. I did not so regard it. That was a matter I decided on my own sense of what was right and wrong. Legally speaking, I presume there was nothing to prevent my drawing pay as a major of Volunteers.

Mr. CONNOLLY. You were a full major of United States Volunteers?

Mr. ROBBINS. Yes, sir.

Mr. TERRY. When did you quit service in Congress?

Mr. ROBBINS. On the 1st of July.

Mr. TERRY. Congress remained in session until the 8th of July, or a week after you enlisted, and after that time you did not perform any duties as a Member of Congress, to which you were elected by your constituents?

Mr. ROBBINS. Nothing, except that I retained my secretary.

Mr. SMITH. Were you here after the 24th of June?

Mr. ROBBINS. I was here until the 1st of July. I have jotted down a statement which I wish to leave with the committee.

The CHAIRMAN. You can submit that now, if you wish.

A statement was submitted, as follows:

In the matter of a resolution introduced to inquire into whether or not the acceptance of a commission in the Volunteer Army vacates a seat in Congress.

Resolution.

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House:

First. Whether any Member of the House has accepted any office under the United States; and

Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same.

Statement of facts.

Edward E. Robbins was elected a Member of the Fifty-fifth Congress from the twenty-first district of Pennsylvania; was duly certified and entered upon the duties of the office on March 15, 1897. War was declared by the United States against Spain early in 1898. On June 21, 1898, he accepted a commission in the Volunteer Army as assistant quartermaster with rank of captain, entering upon the discharge of his duties July 1. The protocol was signed on the 13th of August, suspending hostilities and stipulating the general terms of peace. On October 14, 1898, believing that his services were no longer required, many of the Volunteer troops being mustered out, he tendered his resignation, was mustered out of the service, and granted an honorable discharge. On the 5th of December, 1898, at the regular meeting of Congress, he returned, answered "present" to his name, and resumed his seat. During the time when he was in the military service he drew no pay

18 but continued to draw his salary as a Member of Congress, retained his secretary, and continued to discharge all the duties of such Member, and since the sitting of Congress he has been voting and exercising his rights as such.

The above resolution was referred to the Committee on the Judiciary, to inquire whether or not he had vacated his seat by his action, and whether such action should be so taken although he never intended to give up his seat in Congress and entered the Volunteer Army during hostilities for the mere temporary purpose of discharging a patriotic duty in defense of his country.

Suggestions of argument.

The section of the Constitution invoked in this statement of facts is the last clause of Article VI, section 1, which provides: "And no person holding any office under the United States shall be a Member of either House during his continuance in office."

The wording of the Constitution is peculiar. It is an excerpt of the English constitution, which used the word "forfeit"; nor does it use the word "vacate," which was offered at the time this clause was under discussion by Mr. Morris. He proposed these words: "Except office in the Army or Navy, but in that case their offices shall be vacated." Which was done. (See Madison's Papers, vol. 3, p. 1325.)

Both of these suggestions were voted down, and the discussion shows that the framers of the Constitution intended to prevent a holding of two offices at the same time or the drawing of two compensations or salaries at the same time, because the phraseology finally adopted is, "During his continuance in office."

The plain construction of the section referred to is that no person holding an office under the United States shall be a Member of Congress during his continuance in office. That means, and only can mean, that so long as he holds another office under the United States he can not be a Member of Congress. But it does not say he forfeits his seat in Congress or vacates it; hence, when he resigns such office he can take his seat in Congress. No other construction can give full effect to the clause under consideration.

Let us examine the precedents in Congress that have arisen under this clause:

Van Ness case.

The first case to which we draw attention is the Van Ness case. (Annals, 7th Cong., 1803, p. 398.) In that case John P. Van Ness, a Representative of the State of New York, accepted a commission as major in the militia of the District of Columbia under the authority of the United States. In this case he sought to exercise both offices at the same time. He retained his military commission and continued his seat in Congress, and it was held to be a violation of the clause of the Constitution under consideration. This case is widely different from that of Mr. Robbins, who did not seek to act in Congress while holding a commission in the Volunteer Army.

Yell case.

The next case is the Yell case. (Cong. Globe, vol. 17, p. 340.) An examination into that case shows that Col. Yell drew his salary until the time of his departure; that he ceased to discharge any of the

19 functions of a Member of Congress; and that he did every act indicating an intention to abandon his seat, except actually sending in his resignation. The House refused to consider the resolution to

forfeit the seat of Col. Yell. And, although it does not appear in the record of the case, the fact is he was killed in battle prior to the time when Mr. Newton, who was elected his successor, had appeared and qualified and taken his seat, so that this case differs largely from the case under consideration. The governor and the people of Arkansas raised the question themselves in this case. Whether they knew of Col. Yell's death or not does not appear in the Congressional Globe, but they certainly knew that he had vacated his seat, because an election was held and his successor chosen.

In the case under consideration there has been no complaint by Mr. Robbins's constituents, or from any other source. It is submitted that this case does not rule the present one.

Baker case.

The next case is the Baker case (2d sess., 29th Cong., Rept. No. 36, Feb. 26, 1847). This case does not seem to have ever been finally disposed of, although a resolution was reported to the effect that Edward D. Baker had not been entitled to a seat since his acceptance of and exercising of a military appointment. So that this case can not be taken as deciding the question under consideration.

Vandever case.

The next case seems to be the Vandever case (2d sess., 37th Cong., Rept. 68, vol. 3, 1861). It appeared that Mr. Vandever was elected a Member of Congress from the State of Iowa, and that on the 30th of August, 1861, he was appointed colonel of the Ninth Regiment of Iowa Volunteer Infantry, and mustered into the service September 24, 1861. He went into the service of the United States, receiving the pay belonging to his rank, and continued in the military service.

While the report shows that the committee reported against Col. Vandever, yet the Congressional Globe of that date shows that the resolution was not actually adopted and the seat never actually declared vacant. So that the House itself established no precedent in this case that need be considered or followed at this time. (Congressional Globe, Jan., 1862, vol. 47, p. —.)

The intention in this case was clearly to vacate the seat in Congress, because every act indicated such intent, and are exactly the reverse of the facts in the present case.

Blair case.

This case (1st sess., 38th Cong., Rept. 110, vol. 1, 1863–64) contains a most exhaustive review of all the cases. Robert C. Schenck, of Ohio, and Franklin P. Blair, jr., of Missouri, were elected to Congress, and at the time of their election were major generals in the Volunteer Army. Schenck resigned December 5, 1863, and took his seat December 7, 1863, as a Member of Congress, and was held not to have declined to accept his seat in Congress.

Blair resigned his commission in the Army January 4, 1864. In Blair's case there was a distinct arrangement with the War Department, as disclosed by a letter of President Lincoln, that his resignation as major general was to be held and not accepted. This case was finally disposed of June 29, 1864 (Cong. Globe, p. 3389), upholding that Gen. Blair by continuing to hold the office of major general of volunteers declined and disqualified himself to hold the office of Representative in the Thirty-eighth Congress.

In Blair's case he did not appear and qualify at the time provided for by law, but continued to hold the office of major general and draw the salary therefor. He did every act required to exercise its functions and did no act tending to show that he intended to become a Member of Congress. And when he did appear and tendered his resignation as major general it was with the distinct understanding that it was to be held by the Secretary of War and not accepted, and should occasion require he was to be again called into the military service. (See letter of President Lincoln, Congressional Globe, vol. 53, p. —.) So that, in fact, his resignation never was finally accepted and acted on during the whole time he was in Congress. It is submitted that this case differs very materially from the one under consideration. My resignation was accepted and I was granted an honorable discharge.

Schenck case.

Robert C. Schenck, of Ohio, was appointed a brigadier general May 7, 1861, and a major general August 7, 1862, and served as such. In November, 1862, he was elected a Member of the Thirty-eighth Congress, his term commencing March 4, 1863. He served in the Army until December 5, 1863, when he entered Congress, still holding a commission; but as a matter of fiction, to preserve the date of his commission, he filed his resignation with the Secretary of War, with the distinct understanding with the President that he might at any time during the session, at his own pleasure, withdraw his resignation and return to the field. He therefore sat as a Member of Congress, still holding a commission as a major general.

The exact arrangement is shown by Mr. Lincoln's letter; and Gen. Schenck admitted that there was such an understanding, that he could return to the service with the same rank and same date that he had held while in the field, which could only be done by withdrawing his resignation, which was in the hands of the Secretary of War and never finally accepted and acted on by the President. The same arrangement, Mr. Lincoln says in his letter, was entered into with Gen. Blair. His commission was held in abeyance, and on the 23d of April, after serving actively in Congress for five months, Gen. Blair withdrew his resignation and returned to the Army. Mr. Lincoln's message to Congress on this subject is as follows:

To the House of Representatives:

In obedience to a resolution of your honorable body, a copy of which is hereby returned, I have the honor to make the following brief statement, which is believed to contain the information sought:

Prior to and at the meeting of the present Congress, Robert C. Schenck, of Ohio, and Frank P. Blair, jr., of Missouri, Members elect thereto, by and with the consent of the Senate, held commissions from the Executive as major generals in the Volunteer Army. Gen. Schenck tendered his resignation of his said commission and took his seat in the House of Representatives at the assembling thereof upon the distinct verbal understanding with the Secretary of War and the Executive that he might, at any time during the session, at his own pleasure, withdraw said resignation and return to the field. Gen. Blair was, by temporary agreement with Gen. Sherman, in command of a corps through the battles in front of Chattanooga and in the march to the relief of Knoxville, which occurred in the latter days of December last, and, of course, was not present at the assembling of Congress. When he subsequently arrived here he sought and was allowed by the Secretary of War and the Executive the same conditions and promise as allowed and made to Gen. Schenck.

Gen. Schenck has not applied to withdraw his resignation, but when Gen. Grant was made lieutenant general, producing some change of commanders, Gen. Blair sought to be assigned to command of a corps. This was made known to Gens. Grant and Sherman and assented to by them, and the particular corps for him designated. This was all arranged and understood, as now remembered, as much as a month ago; but the withdrawal of Gen. Blair's resignation and making the order assigning him to the command of a corps were not consummated at the War Department until last week, perhaps on the 23d of April instant. As a summary of the whole, it may be stated that Gen. Blair holds no military commission or appointment other than herein stated, and that it is believed he is now acting as major general upon the assumed validity of the commission stated, and not otherwise. There are some letters, notes, telegrams, orders, entries, and perhaps other documents in connection with this subject which it is believed would throw no additional light upon it, but which will be cheerfully furnished if desired.

ABRAHAM LINCOLN.

APRIL 28, 1864.

This case I claim as a precedent for my case, only it was a much stronger case against Gen. Schenck than the case under consideration is against me. He held his commission from the time of his election until the Saturday before Congress met and then filed a letter, which was not a resignation, because never acted on, and continued to sit. And inasmuch as he did not actually return to the field, Congress held that he was entitled to his seat. (See resolution which was actually passed in Gen. Schenck's case, which is as follows:

"*Resolved*, That Robert C. Schenck, having resigned the office of major general, which he held on November 13, 1863, to take effect December 5, 1863, was not, by reason of holding such office, disqualified from holding his seat as Representative in the Thirty-eighth Congress, the first session of which began December 7, 1863." Cong. Globe, 38th Cong., vol. 7, p. 593.)

This case is a proper precedent and rules the case under consideration.

The foregoing are the leading cases in which the disqualifications sought to be established by this resolution as to Members of Congress have been investigated by Congress or a committee thereof; and it is respectfully submitted that none of them are precedents upon which the committee can report against the validity of Mr. Robbins's seat or his right to continue as a Member of the Fifty-fifth Congress.

Belknap case.

Another precedent to which the attention of the committee is respectfully directed is the Belknap impeachment proceedings. Mr. Belknap was impeached for misconduct in office while Secretary of War. On the trial, which will be found at length in the Forty-fourth Congress, first session, volume 7, it was held that having resigned before articles of impeachment were preferred, that is, having removed the cause of complaint, the Senate had no jurisdiction, and the charges could not be sustained. I am not holding any office except that of Member of Congress, and have not since October 14. If there ever was any cause such as to render my seat voidable, such cause has long since been removed, and therefore it is respectfully suggested that the committee ought not to find at this time that I am disqualified.

Even if, for the sake of argument, my action rendered my seat voidable or forfeitable, from but two sources could the matter be called in question, namely, the attorney general of Pennsylvania and the House itself. Neither my constituents nor the attorney general of Pennsylvania has found any fault with my course, or taken any action therein; and the cause having been removed before the House has taken any action, it is respectfully submitted they ought not now to declare my seat vacant.

It is a well-known principle that the law abhors forfeiture. Equity never lends itself to enforce a forfeiture or a penalty. (Marshall v. Vicksburg, 15 Wall., 146.) It is therefore respectfully submitted that no action having been taken, there was no forfeiture of the seat of Mr. Robbins in Congress. The cause having been removed, it would be manifestly inequitable and unjust to declare a forfeiture now.

Cases of members of the present Congress who hold offices.

It is respectfully suggested for the consideration of your honorable committee that the case of Mr. Robbins is not as susceptible of criticism as the case of many other Members of the present Congress.

Peace commission: The peace commission appointed to Paris by virtue of the President, under his general treaty-making powers, are certainly exercising office as much as one who entered the Volunteer Army. Messrs. Frye, Gray, and Davis, of the present Senate, were appointed by the President on this commission.

Hawaiian commission: Under public resolution 51, entitled "Joint resolution to provide for annexing the Hawaiian Islands to the United States," section 2 provides that the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate. On this commission Senators Morgan and Cullom and Representative Hitt, of this Congress, were appointed and acted.

Canadian commission: Under the provisions of the general deficiency bill a Canadian commission was provided for, and on it the President appointed Senators Faulkner and Fairbanks and Representative Dingley.

Industrial commission: Under an act of Congress designated as public act 146, approved June 18, 1898, a nonpartisan commission was created, which is to extend over a number of years, and invested with plenary powers. On this commission the following Members of the present Congress were appointed: On the part of the Senate, Messrs. Kyle, Pasnoss, Mantle, Daniel, and Mallory; and on the part of the House, Messrs. Gardiner, Lorimer, Lovering, Livingston, and Bell.

Mail-transportation commission: The following Members of the present Congress were appointed on this commission: Senators Allison, Chandler, and Faulkner, and Representatives Moody, Catchings, and Fleming.

These are a few of the offices upon which Senators and Representatives in the Fifty-fifth Congress have been appointed, some of which have already discharged their duties, others of which are in full life and still actively engaged in the discharge of their various official functions. These are respectfully suggested to your honorable committee as precedents sinning stronger against the Constitution than the case of Mr. Robbins. He, instead of spending his vacation in rest and recreation, at the risk of his life, at great financial sacrifice, entered the Army and served till the war was over and resigned.

These cases are not cited for the purpose of urging that these gentlemen have forfeited their seats in Congress, but for the purpose of showing that Mr. Robbins's case is not so strong as theirs, and, as we believe neither Mr. Robbins nor any of these gentlemen have forfeited their right to their seats, we ask the committee in their report to so find. And they are cited for the further purpose of drawing attention of your honorable committee to a thorough investi-

gation and to prevent any discrimination or narrow construction of the resolution introduced, so that it shall be confined to those who entered the Volunteer Army.

LEGAL DEFINITION OF AN OFFICE.

An office is "a special duty, a trust, a charge or position, conferred by authority for a public purpose; a position of trust or authority, as an executive or judicial office, a municipal office; that which a person does, either voluntarily or by authority for or with reference to others." (Webster.) "A right to exercise a public function or employment and to take the fees and emoluments belonging thereto." (Bouvier.)

It is contended that this definition is broad enough to cover all of the various functions held by the gentlemen above referred to; and it is suggested also that a position in the Volunteer Army, which is indefinite as to time and revocable as to authority, is much less an office than any of the positions above mentioned, and that none of them should be held to be in violation of the Constitution. (Last clause of Article VI, section 1.)

The Committee on the Judiciary is instructed by the resolution to ascertain whether or not Members of Congress have accepted any other office, and the inquiry should be complete and the various cases considered and distinguished. If this rule be adopted, the case under consideration would be found to differ widely from any that has yet been considered in the precedents above referred to, and to be ruled by none of the precedents, and that Mr. Robbins has not forfeited his seat in Congress by any act done or committed by him.

This question has been considered by the present law officers of the Government, and the committee is respectfully referred to the opinion in the case of Col. Melvin Grigsby, rendered by the Attorney General June 10, 1898, a copy of which is attached hereto, in which it is held that although Col. Grigsby was attorney general of South Dakota, and at the same time was commissioned colonel of the Third Dakota Cavalry by the President, he did not forfeit the right to exercise the office of attorney general and draw the salary therefor while exercising the office of colonel of the Third Dakota Cavalry.

In this discrimination the Attorney General distinguishes between the Volunteer Army and the Regular Army, holding that while the volunteers may be said to be actively engaged in military service they are not permanently so engaged:

"He is called out to meet an emergency and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for a profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence, and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office.

24 This is the theory of a volunteer appointment. Those to whom Mr. Robbins is accountable are his constituents. They have made no complaint; and it is respectfully submitted that none should be made against him by the present Congress.

The same ruling was made in the case of revenue collector of the port of Buffalo, who, while holding office as collector of internal revenue, entered the military service as colonel of Volunteers. It was held that he did not vacate his appointment as collector and was permitted to retain his office and receive his salary and emoluments therefrom while being absent serving in the military forces of the country.

It is respectfully submitted, in the light of this examination into the Constitution and the precedents arising under it, the present practice in Congress, and the views taken by the legal department of the Government upon the question of the relation of the volunteer to the other departments of the Government, during the recent war, that the proper construction to be placed upon the present case is that I have not forfeited my seat in Congress or done any act that would warrant the committee in reporting that my seat is vacant and recommending to the House that I be excluded from membership.

It is respectfully urged that the case of Mr. Robbins is not ruled adversely by any of the precedents decided by Congress. It is true the recommendation of the committee in the Blair case was adverse; but it never was adopted. The case that does rule the case of Mr. Robbins is the Schenck case, and rules it in favor of Mr. Robbins retaining his seat. The points of similarity in these two cases are such that the committee is respectfully requested to apply the ruling in the Schenck case to this one. Gen. Schenck had resigned his commission, although his resignation was held by the Secretary of War and never actually accepted, and he had the privilege of withdrawing it and reentering the service with the same rank that he left; yet Congress refused to declare his seat vacant.

In the present case Mr. Robbins does not hold any position in the Army, and has not since the meeting of Congress and the reference to the committee. It would be a monstrous doctrine to establish that under the facts in this case Mr. Robbins had forfeited his seat in Congress and because he had gone into the service to discharge a patriotic duty the reward should be expulsion from the House.

I therefore respectfully submit to the committee and request the committee to report that I am still a Member of the Fifty-fifth Congress and entitled to the rights and privileges of such.

Respectfully submitted.

EDWIN E. ROBBINS.

DEPARTMENT OF JUSTICE,
Washington, D. C., June 10, 1898.

The SECRETARY OF WAR.

SIR: I am in receipt of your communication of the 8d instant, in which you request my opinion upon a question of law growing out of the following facts:

At the time of the recent call for volunteers Melvin Grigsby was attorney general of the State of South Dakota. While thus holding a civil office the President appointed and commissioned him a colonel in the Volunteer service. Subsequently, in a telegram dated the 31st ultimo, the governor of South Dakota informed you "that Col. Melvin Grigsby, of the Third Cavalry, has this day drawn his pay as attorney general of South Dakota, and that he assumed to be such attorney general," and asked you whether Col. Grigsby was "to be continued as colonel of the Third Cavalry."

Section 1222 of the Revised Statutes provides:

"No officer of the Army on the active list shall hold any civil
25 office, whether by election or appointment, and every such officer who accepts or exercises the functions of a civil office shall thereby cease to be an officer of the Army and his commission shall be thereby vacated."

Upon a reference, the Judge Advocate General of the Army, in his indorsement of the 1st instant, expressed the view, "if Col. Grigsby has held or exercised the functions of the office of attorney general of South Dakota since he became an officer of the Army, he thereby 'ceased to be an officer of the Army,' and his commission was thereby vacated."

It is to be observed that the view expressed is not restricted to the case presented. The governor of South Dakota does not state that Col. Grigsby, since his acceptance of a commission in the volunteer service, has exercised any of the functions of the office of attorney general. He states that Col. Grigsby "has this day drawn his pay as attorney general, and assumed to be such attorney general." The presumption is that he assumed to be attorney general by drawing his pay, but for what time he drew his pay does not appear.

If, however, the statement of the governor were amended so as to present a case of the exercise of the functions of the office of attorney general by Col. Grigsby since he became an officer in the Volunteer Army, I should hold that the provisions of section 1222 do not apply to vacate his commission, for the reason that he is not an "officer of the Army on the active list" within the meaning of the statute.

While it is true that the act of April 22, 1898, entitled "An act to provide for temporarily increasing the Military Establishment of the United States in time of war, and for other purposes," under which Col. Grigsby was appointed and commissioned, provides that the Volunteer Army shall be "subject to the laws, orders, and regulations governing the Regular Army," the act clearly points out the distinction between the Regular Army, "the permanent Military Establishment which is maintained both in peace and war" (sec. 3), and the Volunteer Army, which "shall be maintained only during the existence of war" (sec. 4). Section 4 specially provides:

"That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said Army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished or on the conclusion of hostilities."

Title XIV of the Revised Statutes, which regulates the Army of the United States, contains sections which in terms are applicable only to the Volunteer Army, sections which in terms are applicable only to the Regular Army, and sections whose applicability depends upon the character of their provisions. Sections which in language are restricted or in provisions are appropriate only to the Permanent Establishment—the Regular Army—can not, of course, be held to apply to the Volunteer Army.

For example, chapter 2 of Title XIV, providing for the retirement of Army officers, clearly has no application to the Volunteer Army, organized for simply temporary service. This chapter creates two lists of Regular Army officers, the active and the retired list, a distinction which does not obtain in the Volunteer Army. When, therefore, section 1222 places a restriction on every "Army officer on the active list" it plainly refers to Regular Army officers. An Army officer on the active list is one not only actively but permanently engaged in the military service of the Government. Having chosen the Army for his career, and being actively engaged therein, the statute properly prohibits him from accepting or exercising the functions of a civil office.

While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer he has not selected the military service for a profession. He has simply responded to a patriotic call, and expects when the war is over to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need nor demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office. It does not concern your department nor this department.

Very respectfully,

JOHN K. RICHARDS,
Solicitor General.

Approved:

JOHN W. GRIGGS,
Attorney General.

Mr. TERRY. Referring to the Yell case, what time expired between the death of the sitting Member and the election that took place, or the proclamation for an election?

26 Mr. ROBBINS. I can not give you that.

Mr. TERRY. He was killed at the battle of Buena Vista, was he not?

Mr. ROBBINS. I believe he was.

The CHAIRMAN. I do not recall in the record any reference to the death of Yell.

Mr. ROBBINS. Poore's Manual gives that.

Mr. RAY. He was killed in battle; but his seat was declared vacant because he accepted a commission in the Army of the United States?

Mr. ROBBINS. Yes; quite awhile afterwards.

The CHAIRMAN. What was the date?

Mr. ROBBINS. I can not give dates.

Mr. RAY. The resolution declaring the seat vacant was based upon the fact of his death, do you mean to say?

Mr. ROBBINS. It was based upon the fact that his constituents raised the question by electing his successor. Whether Mr. Yell had been killed does not appear in the Congressional Globe. They acted upon the supposition that he had not vacated his seat because they elected his successor.

Mr. TERRY. You have not been reelected?

Mr. ROBBINS. I have not.

Mr. RAY. Does not the record show that Congress declared Yell's seat vacant upon the ground that he had accepted a commission in the Army of the United States?

Mr. ROBBINS. The record shows the question was called up and postponed. The resolution shows that that was the ground of inquiry, but the resolution was not adopted.

Mr. JENKINS. His successor came and took the seat.

Mr. CONNOLLY. Do you consider that similar to the Baker case?

Mr. ROBBINS. The Baker case is the next one I have examined. That case does not seem to have been finally disposed of.

Mr. RAY. In the case of Col. Baker, when the question was raised he rose upon the floor of the House during the session and formally resigned and left the House.

Mr. ROBBINS. The case of Col. Vandever; he was elected a Member of Congress and took his seat in the Thirty-seventh Congress, and on the 30th of August, 1861, was appointed colonel of the Ninth Iowa, and entered the service on the 24th of September, 1861.

Mr. RAY. Was not his seat contested?

Mr. ROBBINS. I do not know his name. The report will be found on page 61, volume 3, second session, Thirty-seventh Congress, report 68.

Mr. TERRY. Do you know whether or not he resigned before Congress met?

Mr. PARKER. No; after the adoption of the resolution without discussion, it was reconsidered on the same day upon the question being raised as to whether a two-thirds vote was necessary. It was afterwards postponed from time to time.

Mr. RAY. You are all mistaken, as I read the records, and have fallen into error in this way: The question in regard to Mr. Vandever's seat arose in two ways. In one way, there was a resolution reported declaring the seat vacant. That resolution reads, "That William Vandever has not been entitled to a seat as a Member of this House since he was mustered into the military service of the United States as colonel of the Nineteenth Regiment Iowa Volunteer Infantry, to wit, since the 24th day of September, 1861." It was debated, and among those who participated in the debate were Mr. Dawes and Mr. Shellen-
27 barger. The resolution was adopted unanimously without division. What you refer to is the case of Byington against Vandever, and that came up on resolution declaring Byington entitled to the seat to which Vandever was elected, but it was postponed from time to time, and finally no action was taken on that resolution, and some of the gentlemen of the House were looking that up and were calling attention to certain statements in which that resolution was pointed out. When you investigate it you will find that the resolution declaring Byington entitled to the seat was not acted upon, but the resolution which I have already read was acted upon by the House and was adopted without division. I want to say that in the Schenck case there is a misunderstanding as to the fact. Mr. Schenck filed his formal resignation in writing before the meeting of Congress, and it was accepted in writing.

Mr. ROBBINS. It was not accepted in writing. This says it was upon the distinct verbal understanding that he might withdraw his resignation and return to the field.

Mr. RAY. You contend his resignation was not accepted?

Mr. ROBBINS. Yes.

Mr. SMITH. Do not the proceedings show that the resignation was accepted in writing?

Mr. ROBBINS. The debates may disclose it.

Mr. RAY. It was accepted, and this verbal understanding was entered into at the time.

The CHAIRMAN. This was at the first meeting of Congress after he had been elected in December?

Mr. ROBBINS. I would suppose so.

The CHAIRMAN. He had not qualified and had not acted before his resignation had been tendered and accepted?

Mr. ROBBINS. That is my understanding of the fact. Your committee is referred to the case of Belknap as a case kindred to the one under consideration. You will find it reported in the first session Forty-fourth Congress, volume 7, which is devoted entirely to that case. Belknap was impeached and tendered his resignation before the proceedings were approved by the House. The Senate, because the case was before it, took cognisance of it, but it could not do anything in the case, because he had resigned.

Mr. ALEXANDER. In reference to the Hawaiian commissioners, they were confirmed by the Senate?

Mr. ROBBINS. I do not know whether they have been or not; but if not, they will be, because the act is not complete until that is done. The Canadian High Commission was appointed by the Speaker of the House under an act creating it, investing him with authority. Then you have the labor commission, which includes some Members of the House who are vested with special duty. You have other commissions on which 30 or 40 Members of the House are serving. Not one of them is a violation of the statutes, and they are all kindred cases, and similar to the case of the Members who have accepted military service.

Mr. TERRY. Do I understand you to say that 30 or 40 Members of the House have accepted places on commissions?

Mr. ROBBINS. There are some 30 serving on various commissions. This question of the status of a volunteer officer was considered by the law department of the Government, and it arose in the case of Col. Grigsby. Grigsby, at the time of his appointment as colonel of Volunteer Cavalry, was attorney general of the State of South Dakota. After entering upon the discharge of his duties he drew pay as a mili-
28 tary commander and drew his salary as attorney general of South Dakota. A letter was addressed to the authorities of South Dakota inquiring as to his status and whether the office had been forfeited. I have read an extract from it as to the discussion between the attorney general and the authorities of South Dakota.

Mr. CONNOLLY. Was it the attorney general or the assistant attorney general?

Mr. ROBBINS. It was written by the Attorney General of the United States on Col. Grigsby's status. It was not written by Col. Grigsby or any person connected with the law department of South Dakota, but by the Attorney General of the United States, and addressed to the authorities of South Dakota. It is signed John K. Richards, and is approved by John W. Griggs, Attorney General, and addressed to the Secretary of War, defining the status of Col. Grigsby.

Mr. CONNOLLY. Suppose Congress had been in session the whole time when you were at Camp Thomas, could the Sergeant at Arms have gone to camp and taken you away and brought you to the House?

Mr. ROBBINS. I have never examined into that, and I do not know that I could answer it.

Mr. CONNOLLY. Congress was in session for a week when you were at Camp Thomas. The Sergeant at Arms could not have gone there with a writ and enforced it?

Mr. ROBBINS. I am not so sure about that.

Mr. CONNOLLY. He could have done so, provided your military superiors would have permitted him to do it. He would have the legal authority. Your action affected your seat in Congress if you were outside of the jurisdiction of the House.

Mr. ROBBINS. I do not think I was at the time.

Mr. CONNOLLY. Do you think we could have sent the Sergeant at Arms and enforced your presence?

Mr. ROBBINS. Yes; I think that is right.

Mr. SMITH. Do not these authorities or cases to which you have referred concede the incompatibility of the two offices?

Mr. ROBBINS. So far as the reports of the committees are concerned, they do.

Mr. SMITH. As to the Schenck case, you are insisting that it applies to your case. Did not Mr. Schenck resign his seat?

Mr. ROBBINS. He filed his resignation.

Mr. SMITH. He regarded them as incompatible. Can you show any authority by which you can establish the fact that the acceptance of an incompatible office does not invalidate the one previously held?

Mr. ROBBINS. I have no authority except what I have cited in this brief.

Mr. MCCALL. You said you wanted to be heard on the question as to whether there was an incompatibility of the offices.

The CHAIRMAN. I think he answered by claiming that he was not then in office.

Mr. MCCALL. I mean this particular office of volunteer.

Mr. ROBBINS. The discussion of the subject discloses the fact that the volunteer officer was not an officer within the meaning of the Constitution at all.

Mr. TERRY. You read the opinion of the Attorney General?

Mr. ROBBINS. That refers to the office where a man took part in the Regular Army, with its retired list, fixed tenure of service, etc. That is the incompatible office which the Constitution refers to; but a
29 mere volunteer, whose term is uncertain and who enters for a temporary purpose, does not come within that meaning.

Mr. RAY. To be incompatible, must it be a permanent office or one for life and not terminable by terms of enlistments? During the War of the Rebellion men enlisted for three years or during the war. A man entered the service as a colonel for three years, and would you claim that he could have been a Member of Congress and an officer in the Army at the same time, even though only an officer of volunteers, and his service was to continue for at least one year after his term as a Member of Congress had ceased. Would that be exactly consistent?

Mr. ROBBINS. One is a mere temporary employment and not regarded as an office in my view of the thing at all.

Mr. JENKINS. Have you examined the record in the case of Gen. Sickles?

Mr. ROBBINS. That was a case where a man was on the retired list of the Army and held an office under the Government of the United States.

Mr. MCCALL. The Supreme Court of the United States decided that a man on the retired list of the Army is an officer of the United States.

Mr. RAY. It has held that he was not. So holds the court of appeals in New York State.

Mr. SMITH. It held so in the Badeau case.

Thereupon the committee adjourned to meet Wednesday, January 25, at 10.30 a. m.

WEDNESDAY, *January 25, 1899.*

STATEMENT OF HON. JOSEPH WHEELER,

Chairman of the Committee on the Judiciary.

GENTLEMEN: Pursuant to your direction, I respectfully submit the following with regard to the resolution introduced by the Hon. Joseph W. Bailey, and now pending before this committee.

I concur with the committee that the question before them is one of very grave importance.

If the extreme view is taken that the clause in the Constitution is mandatory and that it applies to all Members of Congress who accept offices of a temporary character which may be terminated at any moment, then the Government will frequently find itself embarrassed in selecting men for certain duties. For instance, it would have been unfortunate if the President had been inhibited from appointing Senators Davis, Fry, and Gray on the peace commission. It would have been detrimental for him to have been inhibited from appointing Senators Morgan, Cullom, and Hitt on the Hawaiian Commission; and it would have been equally unfortunate had he been inhibited from appointing Mr. Dingley and Senators Fairbanks and Faulkner on the Canadian Commission. It would also have been unfortunate had he been inhibited from appointing such a distinguished and able man as Senator Morgan on the arbitration court in Paris.

It has frequently been the case, and will often be hereafter, that Members of the House and Senate possess knowledge with regard to important matters which eminently fits them for holding offices or per-
forming duties of vital importance. So thoroughly have Con-
30 gress and the Executive been impressed with this that, during the 110 years of the existence of our Government, many hundred Members of the Senate and of the House have been appointed to offices.

The committee will readily understand my embarrassment in a matter of this character. There are three other Members of this House who have accepted military commissions and some 28 others who have accepted civil positions. It would be very unjust to them for me to have assumed to decide this question by attempting to resign, as it has been urged that such action on my part would be used as an argument against their right to retain their seats in Congress. Again, I have received continued and urgent appeals from my constituents not to resign, and these have come from men who have successfully supported me in 10 primary elections and in 10 elections as a Member of this body.

In deference to the views of the distinguished Members of Congress who are insisting upon my seat being vacated, I have studiously refrained from taking any active part in the proceedings of Congress, and since the day of my appointment, on May 4, I have refrained from voting. It is true that at first I entered the Hall a few times to see some of my fellow Members, but since learning that this was distasteful to one or two of my old friends I have refrained from even availing myself of this privilege. I have not drawn any congressional pay, mileage, or clerk hire since May 4, notwithstanding that I have been compelled to employ clerks at my own expense to perform routine duties.

No principle of law is more firmly established than that the construction of a statute will not be favored which would result in the destruction of any branch of the Government. That the clause in the Constitution referring to a Member of Congress holding any office has been considered as only directory is certainly shown by the fact that hundreds of Members of Congress have received and held offices without any objection or question being raised.

Members of the present Congress who are holding other civil offices.

Even at this very moment, as stated by Hon. Edward E. Robbins in his brief, Senators are holding very important offices under the appointment of the President as peace commissioners, and many Members of this House are holding high offices. The following are a few of those which occur to me:

Labor Commission.—House: Gardner, New Jersey; Lorimer, Illinois; Lovering, Massachusetts; Livingston, Georgia; Bell, Colorado. Senate: Kyle, Penrose, Mantle, Daniel, Mallory.

Mail Transportation Commission.—House: Moody, Catchings, Fleming. Senate: Allison, Chandler, Faulkner.

Hawaiian Commission.—Senators Morgan and Cullom, and Representative Hitt.

Canadian Commission.—Mr. Dingley and Senators Faulkner and Fairbanks.

Peace Commission.—Senators Frye, Gray and Davis.

Hons. Sereno E. Payne and Joseph D. Sayers are directors of the Columbia Institution for the Deaf and Dumb, and Senators S. N. Cullom and George Gray and Representatives R. R. Hitt and Robert Adams are Regents of the Smithsonian Institution. And yet, no one contends that these 30 or more Members of Congress have vacated their seats by accepting and performing the duties of these offices.

31 Take, for instance, the cases of the Hawaiian and Canadian commissioners. They were appointed by the President pursuant to a law enacted by the same Congress of which the appointees were Members. No question whatever was raised about these appointments, and the reason was that the right of Congressmen to hold offices of this character has become settled. The appointments were made pursuant to a fixed construction of the Constitution.

There were three Members of the House and two of the Senate appointed as visitors to West Point. They received pay for their services, besides their pay in Congress, and this has been repeated for many years, and no one raised the point that they vacated their seats in the House.

Ten Members of Congress were appointed on the Labor Commission, 6 on the Mail Transportation Commission, 3 on the Hawaiian Commission, 3 on the Canadian Commission, and 3 Senators on the peace commission, making 28 Members out of the present Congress who were appointed to various offices.

Legal definition of office.

I do not think that there should be any distinction between those appointed by the President and those appointed by the Speaker of the House. They are all offices within the legal meaning.

Bouvier's Law Dictionary, Peterson edition, 1897, page 539, defines the word office as follows:

"Office: A right to exercise a public function or employment, and to take the fees and emoluments belonging to it. Shelf. Mortm., 797; Cruise Digest, index; 3 S. & R., 149.

"An office is a public charge or employment; 2 Borck., 102, per Marshall, C. J."

It can not be logically contended that on account of the fact of the appointments not being made by the President they are not offices. Many officers of the Government are appointed by heads of the departments.

Congress has virtually taken the appointments of certain offices in their own hands. They have passed a law providing that the appointment of naval cadets shall be made by Congressmen. A naval cadet is an officer, and the fact that he is virtually appointed by a Member of Congress does not make him any the less an officer than if his appointment was placed solely in the hands of the President.

We see that 28 Members of the present Congress have been appointed to public civil offices. A careful examination of the records shows that in some former Congresses nearly this number of Members have been appointed to fill public offices. This would make 1,540 cases where Members of Congress have been appointed to public civil offices during their term without a single objection being made that the Constitution was being infringed; but, to be conservative, we will put the number at one-third of that, and estimate that 500 cases of this character have existed.

Congress by its practice for 100 years has assumed the clause in the Constitution as directory and not mandatory.

Now, Congress having decided by a uniform practice of over 100 years that a Member of Congress may be appointed to a civil office by the President of the United States, even though the office was created by the same Congress of which the appointee was a Member, shows clearly that Congress has uniformly constructed the clause of the Constitution as directory and not mandatory.

32 Or, perhaps, it might be more correct to say that the construction has been that the inhibition of the Constitution applies only to persons who hold an office permanent in its character, and not to persons who are appointed to an office for a special duty, which may be terminated at any moment. This is the view taken by the Attorney General of the United States in the Grigsby case.

Strongest reasons that inhibition does not apply to volunteer officers.

If that construction has been assumed with regard to civil offices, the construction becomes more imperative in cases where Members are appointed to temporary duty with the volunteer troops. The Members of Congress who went to the front in the Spanish War were simply performing a duty which devolved on every citizen. It would be proper to say that they were detailed or ordered to perform a special duty in defense of their country, and, so far as the Constitution is concerned, it makes no difference whether the order directed that this duty was to be performed in one capacity or another; the effect would be the same whether the person detailed was to be called general, colonel, lieutenant, corporal, or private. It makes no difference whether the person so detailed to do militia duty was to command and direct others, or whether he was to be himself directed.

Effect of the extreme view.

The introducer of the resolution which is being considered by the Judiciary Committee takes the extreme view that to hold any office whatever would vacate a seat in Congress. This is the extreme view on one side. Let us look at what the introducer of the resolution would call an extreme view on the other side.

An officer of the volunteer service does not belong to the Regular Military Establishment, but is a part of the militia of the United States. The general principles upon which governments are founded make it the duty of every citizen to be at all times ready to take up arms in its defense, and the Constitution provides that this militia shall be used "to execute the laws of the Union, suppress insurrection, and repel invasion." It follows, therefore, that every citizen of the United States is primarily a member of the militia.

If it is contended that to be a member of the militia is an office such as was contemplated by the Constitution (Art. I, sec. 6), then an extreme constructionist would contend that it would be impossible to have a Congress, because everyone would be a member of the militia, and therefore no one could be a Member of Congress. It must be admitted that this is an extreme view, and it may be contended that Congress has met this view by passing a law by which a Member of Congress could escape military duty, but it must also be remembered that, with regard to personal exemptions, every Congress is a law unto itself.

Now, bear in mind that we are all primarily members of the militia, and that the Constitution makes it the duty of Congress "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrection, and repel invasions."

Now, supposing it were necessary for the militia in the city of Washington to be called forth for any of these purposes. The Members of this House would not fly before the enemy and set such an example to the people, which, if followed, would bring disgrace and ruin to our country, but they would, with the true, brave American spirit which actuates them, leave their seats and confront the enemy of the country, and, by such an example, give an inspiration of patriotism and chivalry to all the people of our land. If they did so, the extreme constructionist would contend that this patriotic action on the part of Members of Congress had dissolved this body and virtually destroyed the Government. All decisions of all courts hold that a literal construction of any law which could by any possibility bring about such a result is not a construction which should be followed.

33

Attorney General Grigga's decision.

The Attorney General of the United States has in effect decided this question. In a matter in which the principle is the same he says:

"While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency, and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for his profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office."

The Sickles case.

Again, in the Sickles case it was decided that Gen. Sickles, who was then a major general on the retired list, was not such an officer as was inhibited by the Constitution from holding a seat in Congress.

The Yell case.

Mr. Bailey and his admirers have gathered precedents to sustain his view. The decision upon which they specially rely is the Yell case, from Arkansas. How different that one is from the case being pressed by Mr. Bailey. Arkansas had but one Member of Congress, and Col. Yell was that Member. On November 7, 1846, the Government notified the Legislature of Arkansas that unless Col. Yell's seat was declared vacant and a new election held Arkansas would have no representation whatever in the House of Representatives. On November 11 a resolution was offered calling upon the governor to order an election, and it was asserted that interests vital to Arkansas were pending in Congress which made it necessary that that State should be represented. Notwithstanding the great necessity for having a Member of Congress in the House, the feeling against interfering with Col. Yell was so strong in Arkansas that a motion to table the resolution only failed by 5 votes, 34 being cast for tabling and 39 against it.

At that time Col. Yell was in central Mexico, far removed from communication with his country, and therefore absolutely unable to give any attention to legislation which affected Arkansas. An election was ordered, and on February 8 Mr. Newton was elected and presented himself to Congress. George S. Houston, who had long served as chairman of the Ways and Means Committee and also of the Judiciary

34 Committee, opposed the seating of Newton, as he stated that if Col. Yell presented himself he would be entitled to take his seat and proceed with the business of Congress.

Gov. Houston, of Alabama, contended that Yell's seat was not vacated.

Gov. Houston insisted (vol. 17, p. 339, Congressional Globe) that Mr. Yell was still a Member of the House, and also insisted that the action of the House in that very session, in welcoming Col. Baker back from Mexico and permitting him to resume his seat and perform his duties, conclusively authorized a Member to accept a volunteer commission and to retain his seat in the House. He said:

"The action of this House itself must preclude the gentleman who now presents his credentials from taking his seat, at all events, for the present.

"The gentleman from Illinois [Mr. Baker], after being absent during a part of the last session and about half of this, presented himself here, took his seat, and resumed the discharge of all his official duties. The House then sanctioned the principle that Mr. Baker, after serving in the Army for months, and still retaining his commission, was entitled to his seat as a Member of this body. The gentleman took his seat, discharged his duties, received his emoluments, and did everything that was incumbent on him to do in the capacity of Representative of the people. How, then, can the House now turn round, on the precedent which it has itself established by its own solemn act, and admit another Member from the State of Arkansas? I regret that this question has been presented, and I feel bound, under the circumstances of the case, and especially after the observations of the gentleman from New York, to take the course which my remarks indicate. Let what will come, I shall endeavor to carry out the principles of the Constitution." (Congressional Globe, vol. 17, p. 339.)

It will be seen that such a profound lawyer and experienced legislator as George S. Houston, who served 20 years in Congress, and also in the Senate of the United States, and who was also twice governor of Alabama, contended that under the proper interpretation of the Constitution Mr. Yell was entitled to retain his seat.

Finally, upon it being represented that the interests of Arkansas were involved, Newton was allowed to take a seat pending the investigation of the matter by the Committee on Elections. Two weeks from that date Yell was killed in the Battle of Buena Vista.

House refused to unseat either Yell or Baker.

Notwithstanding this, the House resisted every attempt to take up the resolution to confirm Newton in his seat, and finally, on March 3, just before an adjournment, the RECORD says (vol. 17, p. 573), in reference to this case, "The question was put, and the House refused to take up the report and resolution." The House also refused to take up the report which declared that Edward D. Baker was not entitled to his seat on account of his acceptance of an appointment in the Volunteer service.

The Wheeler case is much stronger than that of Col. Yell. He was appointed in the Volunteer forces on May 4 last. A petition was presented to the governor of Alabama asking him to declare the seat vacant and to order an election. Protests of the most vehement character were sent to the governor from the eighth congressional district of Alabama, and the governor published that he would not take any action in the matter. The people then, by a ballot election, unanimously renominated Gen. Wheeler for Congress, giving him a vote even exceeding the Democratic vote of the district. The people then
35 reelected him to the Fifty-sixth Congress by unanimous vote, thus showing clearly their construction of the Constitution.

Again, Yell was in central Mexico, where he could give no attention whatever to congressional business, and was actively exercised in military command. Wheeler, on the contrary, has relinquished all military command. He is quietly but efficiently attending to his congressional matters in which his State and district are interested. So far from complaints coming from the district, appeals of the strongest character come to him, urging him to retain his seat. The main objection seems to have been the fear that Gen. Wheeler would draw Army pay and congressional pay also. This he has scrupulously abstained from doing, and the records show that he has never drawn any congressional pay since May 4, 1898, the date on which he was commissioned.

House refused to unseat Gen. Schenck.

Gen. Robert C. Schenck was appointed a brigadier general May 7, 1861, and a major general August 7, 1862, and served as such. In November, 1862, he was elected a Member of the Thirty-eighth Congress, his term commencing March 4, 1863. He served in the Army until December 5, 1863, when he entered Congress, still holding a commission, but, as a matter of fiction, filed his resignation with the Secretary of War and the Executive, with the distinct understanding that he might at any time during the session, at his own pleasure, withdraw his resignation and return to the field. He therefore sat as a Member of Congress, still holding a commission as a major general. This is Mr. Lincoln's statement, and Gen. Schenck admitted that there was an understanding that he could return to the service with the same rank and date, and this could only be done by withdrawal of his resignation. Mr. Lincoln says that later, in December, the same plan was adopted with regard to Gen. Frank Blair, and admits that Gen. Blair's commission was held in abeyance, and that on April 23, after serving actively in Congress for nearly five months, Gen. Blair withdrew his resignation and returned to the Army. President Lincoln's message to Congress on these subjects is as follows:

To the House of Representatives:

In obedience to a resolution of your honorable body, a copy of which is hereby returned, I have the honor to make the following brief statement, which is believed to contain the information sought:

Prior to and at the meeting of the present Congress, Robert C. Schenck, of Ohio, and Frank P. Blair, jr., of Missouri, Members elect thereto, by and with the consent of the Senate, held commissions from the Executive as major generals in the Volunteer Army. Gen. Schenck tendered the resignation of his said commission and took his seat in the House of Representatives at the assembling thereof, upon the distinct verbal understanding with the Secretary of War and the Executive that he might at any time during the session, at his own pleasure, withdraw said resignation and return to the field. Gen. Blair was by temporary agreement with Gen. Sherman in command of a corps through the battles in front of Chattanooga and in the march to the relief of Knoxville, which occurred in the latter days of December last, and, of course, was not present at the assembling of Congress. When he subsequently arrived here he sought, and was allowed by the Secretary of War and the Executive, the same conditions and promise as allowed and made to Gen. Schenck.

Gen. Schenck has not applied to withdraw his resignation, but when Gen. Grant was made lieutenant general, producing some change of commanders, Gen. Blair sought to be assigned to command of a corps. This was made known to Gens. Grant and Sherman and assented to by them and the particular corps for him designated. This was all arranged and understood, as now remembered, as much as a month ago, but the withdrawal of Gen. Blair's resignation and making the
36 order assigning him to the command of a corps were not consummated at the War Department until last week, perhaps on the 23d of April, instant. As a summary of the whole, it may be stated that Gen. Blair holds no military commission or appointment other than herein stated, and that it is believed he is now acting as major general upon the assumed validity of the commission stated, and not otherwise. There are some letters, notes, telegrams, orders, entries, and perhaps other documents in connection with this subject which is believed would throw no additional light upon it, but which will be cheerfully furnished if desired.

ABRAHAM LINCOLN.

APRIL 28, 1864.

House allowed Gen. Blair, without objection, to perform all duties in the House during a period of 17 months, while holding a commission in the Army.

Frank P. Blair, jr., was elected a Member of the Thirty-sixth Congress. He was afterwards elected Member of the Thirty-seventh Congress, the first session of which commenced July 4, 1861, and the last session ended July 3, 1863. He was elected to the Thirty-eighth Congress, the first session of which commenced December 7, 1863. He was appointed a colonel July 7, 1862, and on November 29, 1862, was appointed a brigadier general, and on the same date a major general. He continued to perform the duties of a Congressman and a general until April 23, 1864, when he left Congress to take command of the Seventeenth Army Corps under Gen. Sherman. On June 20, 1864, he then being in command of an Army corps in Georgia, and having been absent from the House since April 23, and objection being made to such an action, the House passed a resolution that he had forfeited his seat. It must be borne in mind that Blair had been holding a commission in the Army and in Congress for 17 months before the House took this action.

The position taken by Mr. Bailey, the mover of the resolution, is that the moment any office under the Government is accepted by a Member of Congress he ceases constanter to be a Member of Congress, and that his seat stands vacant from that moment. The contention of Mr. Bailey and his friends is that a Member of Congress who has accepted any office can not resign because, his seat having been vacated, he stands in the same attitude as any other citizen. There is, therefore, nothing which I can legally do but to await the decision of Congress upon this question.

I desire here to state that there is no Member of Congress who reveres the Constitution more than myself, and there is no one who would regret being instrumental in the infringement of its provisions more than myself. And I will further state that my very high regard for the integrity and ability of the Members of this House—many of whom I have had the honor and pleasure of serving with for nearly one-fifth of a century—convinces me that the question will receive their best possible consideration, and my feelings of regard and, I may say, of affection for them is such that I desire to refute the intimations which have been made that anything personal enters into the question. Certainly, so far as I am concerned, no such idea enters or could possibly enter my mind.

My contention is, and I think the House concurs with me, that the committee is called upon to decide whether the inhibition of the Constitution includes any performance of duty by a Member of Congress for the Government, irrespective of its very temporary character, or, whether the inhibition was only intended to apply to a person holding an office of a permanent character or for a definite and fixed period. The Attorney General of the United States gave this question most careful consideration in the Grigsby case, and decided that the inhibition was
37 only intended to apply to offices of a permanent character. It is true that the question was not upon the case of a Member of Congress, but the reasoning of the Attorney General certainly has a bearing on the question before the committee.

I know that the members of the committee and the Members of the House, whom I am proud to call my friends, will decide this case as they believe to be in accordance with the spirit of the Constitution. To those who contend that I should have resigned my seat I will say that I was urged not to do so by persons whose requests and recommendations I could not disregard, and it has also been urged that for me to have done so would have been quasi an expression of my judgment on the matter, and thus in a measure have prejudiced the case of some 30 other Members of the House who are in the same position as myself.

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STATEMENT OF HON. J. J. GARDNER.

WASHINGTON, D. C., *January 19, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, transmitting House resolution No. 354, submitted by Mr. Bailey, the body of the resolution being in the following words:

"*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to this House;

"First. Whether any Member of the House has accepted any office under the United States; and,

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

Your letter of transmittal informs me that—

"I am instructed by the Committee on the Judiciary to transmit to you House resolution No. 354, and to say that the committee have fixed Tuesday, January 24, 1899, 10 o'clock a. m., to hear those who may desire to be heard on the subject. Your being a member of the United States Industrial Commission has made it my duty to bring this matter to your attention."

Fearing that I may not be able to be present on Tuesday, January 24, 1899, the time fixed for the hearing, I avail myself of the privilege of submitting a brief communication.

The only provision of organic or other law known to me that would suggest the propriety of this inquiry is Article I, section 6, paragraph 2, of the Constitution of the United States, which is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no such person holding any office under the United States shall be a Member of either House during his continuance in office."

Permit me to say that I am unable to perceive why the resolution should have suggested an inquiry with reference to the members of the United States Industrial Commission who are Members of the House. This commission was created by the present Congress, and during the time for which the Members of the House of Representatives appointed upon it had been elected. If, therefore, being appointed to membership on this commission was being appointed to a civil office, such attempted appointment was in defiance of the plain provisions of the paragraph and nugatory, since "no Senator or Representative shall, during the time for which he was elected, be appointed to any civil office. * * *."

No Member has been so appointed, and I, a Member of the House,
38 am not on the commission. My membership in the House debarred me from becoming a member of the commission if such membership is a civil office under the Constitution.

But membership in the United States Industrial Commission is not an office within the meaning of the Constitution of the United States. (See Art. II, sec. 2, par. 2.) Officers must be appointed by the President by and with the consent of the Senate, by the President alone, by a court of law, or by the head of a department. No one appointed otherwise is appointed to an office within the meaning of the Constitution.

Without attempting to amass authorities on this point from the States which have similar provisions in their constitutions, I refer only to the case of The United States *v.* Germaine (99 U. S., 508).

It will go for the saying with the Committee on the Judiciary that a contention that the House of Representatives is a department of the Government within the meaning of the organic law and the Speaker of the House the head of the department would be too absurd for consideration.

Respectfully submitted.

J. J. GARDNER.

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STATEMENT OF HON. DAVID G. COLSON.

WASHINGTON, *January 23, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

DEAR GEN. HENDERSON: Answering your letter of the 6th instant, asking whether I desire to be heard in respect to House resolution No. 354, I beg to state that some one of the Members interested in the

matter to which the resolution relates will very probably appear before the committee at the time fixed in your subsequent communication, Tuesday, January 24, at 10 o'clock a. m.

Thanking you for your kindness, I am,

Very truly, yours,

DAVID G. COLSON.

—

WASHINGTON, D. C., *January 23, 1899.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary,
House of Representatives.

DEAR GEN. HENDERSON: Since writing you this forenoon I have found that I can not appear before the committee at 10 o'clock to-morrow morning. I write to state the following facts which the committee may desire to use in the consideration of the House resolution 354. I was commissioned colonel of the Fourth Kentucky Regiment Infantry, United States Volunteers, in June, 1898, and served as such until the 5th of December of same year, since which latter date my connection with the Army, while technically the same, has been actually nominal. I have never signed the pay roll as an officer in the Army, and therefore have not drawn a cent from the Government as an Army officer. I have drawn my salary as a Member of Congress to the 1st of December. I have performed the duties of a Member of Congress all the time I have been an officer in the Volunteer Army.

I will submit no argument to the question as to whether my seat should be declared vacant excepting to say that it may be well doubted that the language contained in section 6 of the Constitution of the United States—"and no person holding any office of the United States shall become a Member of either House during his continuance in office"—was intended to cover the cases in the hands of the committee for consideration. No injury has resulted to my constituency or to the Government by reason of my service in the Army, nor has such service impaired in any way my service as a Member of Congress. Constitutional restrictions are intended, as I understand them, to be invoked only to prevent injustice or wrong, and not in cases of this character, where a patriotic impulse might well be given some play.

Very truly, yours,

DAVID G. COLSON.

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Joint resolution (Public resolution, No. 51) to provide for annexing the Hawaiian Islands to the United States.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided,* That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed $4,000,000. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Approved, July 7, 1898.

An act (Public, No. 146) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be called the "Industrial Commission," to be composed as follows: Five Members of the Senate, to be appointed by the Presiding Officer thereof; five Members of the House of Representatives, to be appointed by the Speaker, and nine other persons, who shall fairly represent the different industries and employments, to be appointed by the President, by and with the advice and consent of the Senate.

SEC. 2. That it shall be the duty of this commission to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, and to business, and to report to Congress and to suggest such legislation as it may deem best upon these subjects.

SEC. 3. That it shall furnish such information and suggest such laws as may be made a basis for uniform legislation by the various States of the Union, in order to harmonize conflicting interests and to be equitable to the laborer, the employer, the producer, and the consumer.

SEC. 4. That the commission shall give reasonable time for hearings, if deemed necessary, and if necessary it may appoint a subcommission or subcommissions of its own members to make investigation in any part of the United States, and it shall be allowed actual necessary expenses for the same. It shall have the authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerks, stenographers, messengers, rent for place of meeting, and printing and stationery, shall be paid from any money in the Treasury not otherwise appropriated; however, not to exceed $50,000 per annum for expenditures under this section.

SEC. 5. That it may report from time to time to the Congress of the United States, and shall at the conclusion of its labors submit a final report.

SEC. 6. That the term of the commission shall be two years. The salary of each member of this commission appointed by the President shall be $3,000 per annum. Each member of the commission shall be allowed actual traveling expenses.

SEC. 7. That any vacancies occurring in the commission by reason of death, disability, or from any other cause shall be filled by appointment by the officer and in the same manner as was the member whose retirement from the commission creates the vacancy. That in case the term of a Senator or Representative expires while a member of this commission, said Senator or Representative shall not thereby cease to be a member of said commission, but shall serve until the expiration of the term for which he was appointed, drawing pay from the time his term as Senator or Representative expires at the same salary as those members of the commission appointed by the President of the United States.

SEC. 8. That a sum sufficient to carry out the provisions of this act is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

Approved, June 18, 1898.

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[PUBLIC—No. 131.]

An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1899.

SEC. 5. That a commission consisting of the chairmen of the Committees on Post Offices and Post Roads of the Senate and House of Representatives, and three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker, is hereby created to investigate the question whether or not excessive prices are paid to the railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the Postal Service, and rates of postage upon all postal matter.

Said commission is authorized to employ experts to aid in the work of inquiry and examination; also to employ a clerk and stenographer and such other clerical assistance as may be necessary, said experts and clerks to be paid such compensation as the said commission may deem just and reasonable.

The Postmaster General shall detail, from time to time, such officers and employees as may be requested by said commission in its investigation.

For the purposes of the investigation, said commission is authorized to send for persons and papers, and, through the chairman of the commission or the chairman of any subcommittee thereof, to administer oaths and to examine witnesses and papers respecting all matters pertaining to the duties of said commission, and to sit during the recess of Congress.

Said commission shall, on or before February 1, 1899, make report to Congress, which report shall embrace the testimony and evidence taken in the course of the investigation, also the conclusions reached by said commission on the several subjects examined, and any recommendations said commission may see proper to make by bill or otherwise with a view of correcting any abuses or deficiencies that may be found to exist.

The sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the necessary expenses of said commission, such payments to be made on the certificate of the chairman of said commission.

Any vacancy occurring in the membership of said commission, by resignation or otherwise, shall be filled by the presiding officer of the Senate or House, respectively, according as the vacancy occurs in the Senate or House representation on said committee.

SEC. 6. That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenues of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1899.

Approved, June 13, 1898.

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Subsequently, on February 1, 1899, Gen. Wheeler filed the following supplemental brief:

"Mr. Bailey and his friends are trying to rest this question upon precedents: On July 12, 1861, Mr. Vallandigham raised a similar question with regard to those Members of Congress who held commissions in the United States Army. The House refused to even consider it, and the motion to table his resolution was carried by an aye-and-nay vote, 92 votes being cast for tabling and 51 against it, many Democrats

voting to table the resolution. This precedent is found on pages 92 and 93, volume 45, Congressional Globe, first session Thirty-seventh Congress."

The resolution is as follows:

"Whereas it is rumored that Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson and Charles J. Biddle, of Pennsylvania; and Samuel R. Curtis, of Iowa, holding seats in this House as Members thereof, have been sworn into the military service of the United States, and hold military offices under the authority of the same; and

"Whereas James H. Campbell, of Pennsylvania, also holding a seat in this House as a Member thereof, has admitted upon the floor of this House that he has been so sworn and does so hold office as aforesaid: Therefore,

"*Resolved*, That the Committee on Elections be instructed to inquire, and without unnecessary delay to report, whether the gentlemen above named, or any others claiming or holding seats as Members of this House, and at the same time holding any military office under the authority of the United States, are constitutionally disqualified to be Members of this House by holding such military offices."

The only time that the House has ever acted upon such a case since that time was the case of Hon. Frank Blair, who, from August 7, 1862, to April 23, 1864, was alternately doing duty as a general and performing duties as a Member of the House. On April 23, after actively doing his duties in the House for some months, he left the House, bade his friends good-by, and took command of an Army corps in Georgia. This was regarded as abandoning his seat in the House, and on June 11 a resolution was passed that he has forfeited his seat. No opposition whatever was made to this by Mr. Blair or any of his friends.

43 Since the hearing of January 24, 1899, a letter has been received from Hon. James R. Campbell, which is as follows:

HEADQUARTERS NINTH ILLINOIS, CAMP COLUMBIA,
Havana, Cuba, January 25, 1899.

Hon. D. B. HENDERSON,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your very kind invitation to appear before your committee, and either orally or in writing submit authorities bearing on House resolution No. 354, will say that my duties here with my regiment make it impossible for me to appear in person, and as my library at this place is very limited, being confined to the Army Regulations, infantry drill book, firing regulations, guard manual, and a few works on the art of war, it is impossible for me to refer you to such authorities as might enable you and the other members of the committee in arriving at a correct conclusion. Besides this, I feel somewhat indifferent as to taking any action personally in the matter, as I am sure the committee has no feeling against me and that any conclusion that you might arrive at will be from a high sense of duty as Representatives and not in any way personal to me.

In conclusion I might say that I have a fine regiment of over 1,200 men, all from my congressional district, and we have a beautiful camp overlooking the Gulf, surrounded with magnificent plantations, which makes it a delightful winter resort.

We have but little sickness, and all are in good spirits and contented. If any of your committee should visit Cuba after the adjournment of Congress, I will be greatly pleased to offer you the hospitality of our camp.

Yours, very respectfully,

JAMES R. CAMPBELL,
Colonel, Ninth Illinois Volunteers.

The authority for the appointment of the Canadian commission is found in sections 3 and 4 of the act approved July 24, 1897, Statutes of the United States of America, passed at the first session of the Fifty-fifth Congress, 1897, pages 203, 204, and 205; also in pursuance of a provision in the act of July 7, 1898, page 571, an act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes. Said provision is as follows:

"Canadian Commission: For the expense on the part of the United States of a joint commission to be appointed for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada, including the compensation of the commissioners representing the United States, the pay of expert service for preparation of papers, for the portion of joint expenses chargeable to the United States, for printing, and all other incidental expenses, to be disbursed under the direction of the Secretary of State, $50,000, to remain available during the fiscal year 1899."

In pursuance of the foregoing law and a provision in the deficiency appropriation bill, Hon. Sereno E. Payne has been appointed by the President, has qualified, and is acting as a member of the Canadian Commission.

In this connection it is proper to insert here a letter from the Secretary of the Senate in answer to an inquiry in regard to the Canadian Commission:

UNITED STATES SENATE,
OFFICE OF THE SECRETARY,
Washington, February 2, 1899.

Gen. D. B. HENDERSON, *Chairman, etc.*

DEAR SIR: In reply to your inquiry of the present instant, I beg to say the members of the Canadian Commission were not sent to the Senate for confirmation. It appears their appointment required no action on the part of the Senate.

Very respectfully,

WM. R. COX,
Secretary.

A further fact may be stated, that the names of the Hawaiian com-
44 missioners, including that of Hon. R. R. Hitt, of the House, were sent by the President to the Senate, but no action has been taken thereon and they have not been confirmed.

The committee also considered the matter of the appointment of committees to visit the Naval and Military Academies, and of the regents and trustees of institutions in the District of Columbia belonging to the United States where said committees, regents, and trustees were Members of Congress.

Facts found in the case of Joseph Wheeler.

The Committee found the following facts in the case of Hon. Joseph Wheeler:

The committee finds that Joseph Wheeler, a duly qualified Representative in this Congress from the eighth district of Alabama, was on the 6th day of May, A. D. 1898, while acting as such Representative, commissioned by the President of the United States as major general of Volunteers in the United States Army, and that on the 6th day of May, A. D. 1898, he accepted such commission and was then duly mustered into the military service of the United States as such major general of Volunteers, and still continues in such service.

Facts found in the case of Hon. James R. Campbell.

The committee found the following facts in the case of Hon. James R. Campbell:

That James R. Campbell, a duly qualified Representative in this Congress from the twentieth district of Illinois, was, on the 28th day of June, A. D. 1898, while acting as such Representative, commissioned by the governor of the State of Illinois as colonel of the Ninth Regiment of Illinois Infantry Volunteers, for service in the war between the United States and the Kingdom of Spain; that he accepted said office, and was, on the 11th day of July, A. D. 1898, mustered into the service of the United States as such colonel, and still continues in such service.

Facts found in the case of Hon. David G. Colson.

The committee found the following facts in the case of Hon. David G. Colson:

That David G. Colson, a duly qualified Representative in this Congress from the eleventh district of Kentucky, was, on the 27th day of July, A. D. 1898, while acting as such Representative, commissioned by the governor of the State of Kentucky as colonel of the Fourth Kentucky Infantry Volunteers, for service in the war between the United States and the Kingdom of Spain; that he accepted said office, and was, on the 27th day of July, A. D. 1898, mustered into the service of the United States as such colonel, and that he still continues in such service.

Facts found in the case of Hon. Edward E. Robbins.

The committee found the following facts in the case of Hon. Edward E. Robbins:

That Edward E. Robbins, a duly qualified Representative in this Congress from the twenty-first district of Pennsylvania, was, on the 21st day of June, A. D. 1898, while acting as such Representative, duly commissioned by the President of the United States as captain
45 and quartermaster of Volunteers in the military service of the United States, and that afterwards, on the 1st day of July, A. D. 1898, he accepted such office and entered upon the discharge of its duties; that afterwards, on the 19th day of August, A. D. 1898, he was promoted to major and quartermaster of Volunteers, and duly commissioned as such by the President and mustered into the military service of the United States as such major and quartermaster of Volunteers, which he thereupon accepted and entered upon the discharge of the duties thereof, and so continued until the 14th day of October, A. D. 1898, when he was honorably discharged and mustered out of said service.

The investigations of the committee justify the statement that no compensation was received by the Members of the House who were on the Hawaiian, the Canadian, the Postal, or the Industrial Commissions, and also that regents and trustees of Federal institutions served without compensation.

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46. ACTION OF THE CONSTITUTIONAL CONVENTION.

The part of the Constitution of the United States which must be considered in discussing these important questions is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (Art I, sec. 6, clause 2, Constitution of the United States.)

It may be interesting as well as instructive in this discussion to follow the consideration and treatment of the subject by the framers of the Constitution. After the Constitutional Convention was organized Mr. Randolph opened up with a discussion of the work before the great convention. He pointed out by a series of resolutions what he thought were necessary in a new Constitution. The fourth resolution suggested by him, and having reference to the Senate, is as follows:

"*Resolved*, That the Members of the first branch of the National Legislature ought to be elected by the people of the several States every ——— for the term of ———; to be of the age of ——— years at least; to receive liberal stipends by which they may be compensated for the devotion of their time to the public service; to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the first branch, during the term of service, and for the space of ——— after its expiration; to be incapable of reelection for the space of ——— after the expiration of their term of service, and to be subject to recall."

Then follows the fifth resolution relating to the House, which is as follows:

"*Resolved*, That the Members of the second branch of the National Legislature ought to be elected by those of the first, out of a proper number of persons nominated by the individual legislatures, to be of the age of ——— years at least; to hold their offices for a term sufficient to ensure their independency; to receive liberal stipends, by which they may be compensated for the devotion of their time to the public service; and to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the second branch, during the term of service; and for the space of ——— after the expiration thereof." (The Madison Papers, vol. 2, pp. 731, 732.)

These propositions, with others, were referred to the Committee of the Whole. Mr. Pinckney then laid before the House the draft of a Federal Government which he had prepared. A part of article 5 of Mr. Pinckney's proposition was as follows:

"The Members of each House shall not be eligible to, or capable of holding, any office under the Union during the time for which they have respectively elected, nor the Members of the Senate for one year after." (Art. V, p. 739, vol. 2, The Madison Papers.)

Mr. Pinckney's draft of the proposed Constitution was also referred to the Committee of the Whole to consider the state of the American Union. When the Committee of the Whole rose Mr. Gorman made a report from the committee, in which, among other things, were the following resolutions:

"No. 3. *Resolved*, That the Members of the first branch of the National Legislature ought * * * to be ineligible to any office established by a particular State or under the authority of the United States (except those peculiarly belonging to the functions of the first branch) during the term of service and under the National Government for the space of one year after its expiration.

"No. 4. *Resolved*, That the Members of the second branch of the National Legislature ought * * * to be ineligible to any office established by a particular State or under the authority of the
47 United States (except those peculiarly belonging to the functions of the second branch) during the term of service and under the National Government for the space of one year after its expiration." (The Madison Papers, vol. 2, pp. 858–849.)

A committee on detail, which was appointed to consider the work of the convention, had referred to them, among other things, the following:

"3. *Resolved*, That the Members of the first branch of the Legislature ought * * * to be ineligible to, and incapable of holding, any office under the authority of the United States (except those peculiarly belonging to the functions of the first branch) during the term of service of the first branch.

"4. *Resolved*, That the Members of the second branch of the Legislature of the United States ought * * * to be ineligible to, and incapable of holding, any office under the authority of the United States (except those peculiarly belonging to the functions of the second branch) during the term for which they are elected, and for one year thereafter." (The Madison Papers, vol. 2, p. 1221.)

Subsequently the committee on detail reported, through Mr. Rutledge, chairman, a form of a constitution, a part of which was as follows:

"SEC. 9. The Members of each House shall be ineligible to, and incapable of holding, any office under the authority of the United States during the time for which they shall respectively be elected; and the Members of the Senate shall be ineligible to, and incapable of holding, any such office for one year afterwards." (The Madison Papers, vol. 2, p. 1230.)

Subsequently a committee of 11 was appointed, to which was referred such parts of the Constitution as had been postponed and such parts as had not been acted on. This committee of 11, through its chairman, Mr. Brearly, reported, among other things, the following:

"That in lieu of article 6, section 9, the words following be inserted, viz: 'The Members of each House shall be ineligible to any civil office under the authority of the United States during the time for which they shall respectively be elected; and no person holding an office under the United States shall be a Member of either House during his continuance in office.'" (The Madison Papers, vol. 3, p. 1479.)

The report of the committee of 11, as amended and agreed to, was as follows:

"The Members of each House shall be ineligible to any civil office under the authority of the United States, created, or the emoluments whereof shall have been increased, during the time for which they shall respectively be elected; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (The Madison Papers, vol. 3, p. 1485.)

Subsequently a committee of style and arrangement was appointed to arrange the style of the Constitution, and in its report is found the following:

"Article I, section 6, clause 2: No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (The Madison Papers, vol. 3, pp. 1547, 1548.)

In the form just given it was finally incorporated into the Constitution of the United States.

From the debates during the consideration of the foregoing questions and up to the final selection of Article I, section 6, clause 2, it is evident that the framers of the Constitution were determined to separate as far as possible the executive from the legislative departments of the Government. This purpose is all the more emphasized when we observe that they felt and observed the difficulty of getting able men for Congress who had not been officers in the American Army. Many thought that the young Republic would be crippled in a sense by preventing the Members of Congress holding commissions in the Army, but notwithstanding this difficulty incident to our youth as a country the final judgment of Congress culminated in the provisions of the Constitution as we have them now.

48 MEMBERS OF COMMISSIONS, ETC.

While it may be admitted that all of the commissions, examining boards, regents, etc., considered by the committee, do differ in many particulars as to their duties, still the legal principles involved in the consideration of this class of public servants apply to all of them, and therefore they will be considered together in discussing the law in respect to them.

It can not be contended that every position held by a Member of Congress is an office within the meaning of the Constitution, even though the term office may usually be applied to many of these positions. We are therefore led to an analysis and discussion of the word "office."

The chairman of a committee of Congress is in one sense an officer holding a position different from other members of the committee. Marks of honor and distinction are given to Members of Congress in many ways, but all incident to or growing out of their position as a Member of Congress. It is a mark of distinction to be selected as members of escorts to those of our number who die; designations are made of committees to notify the Senate and the President of certain matters. The mind will readily run over a list of many positions of trust and honor that are conferred upon Members of Congress where no pretense will be made that they are offices within the meaning of the Constitution.

In United States *v.* Hartwell (6 Wallace, 393) it is laid down that "an office is a public station or employment conferred by the appointment of Government. The term embraces the ideas of tenure, duration, emolument, and duties."

Elsewhere it is held that an office is "an employment on behalf of the Government, in any station or public trust, not merely transient, occasional, or incidental." (20 John., Rep. 492, 7th Ohio State, 556.)

A careful consideration of all of the positions above referred to will show that they are merely transient, occasional, or incidental in their nature, and none of them possess the elements of duration, tenure, or emolument. All of these appointees were but instruments to procure detailed information for the better information and guidance of Congress and are wholly lacking in the essential elements of an office within the meaning of the Constitution.

"A public office is the right, authority, and duty, created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the Government to be exercised by him for the benefit of the public." (Mechem's Public Offices and Officers, sec. 1; Matter of Hathaway, 71 N. Y., 238–243; 3 Greenleaf (Me.), 481; Public Officers, Throop, sec. 6; Olmstead *v.* The Mayor, etc., 42 N. Y., Sup. Ct., 481.)

It has been held that these functions must be either legislative, executive, or judicial, and that to constitute the person an officer he must have conferred upon him either legislative, executive, or judicial powers. (Mechem's Public Offices, sec. 4, and cases cited.)

Says the author:

"SEC. 4. Office involves delegation of sovereign functions. The most important characteristic which distinguishes an office from an employment or contract is that the creation and conferring of an
49 office involves a delegation to the individual of some of the sovereign functions of government, to be exercised by him for the benefit of the public; that some portion of the sovereignty of the country, either legislative, executive, or judicial, attaches, for the time being, to be exercised for the public benefit. Unless the powers conferred are of this nature, the individual is not a public officer."

This involves necessarily the power to (1) legislate; or (2) execute law; or (3) hear and determine, judicially, questions submitted.

Therefore, mere power to investigate some particular subject and report thereon, or to negotiate a treaty of peace, or on some commercial subject, and report without power to make binding on the Government, does not constitute a person an officer.

"It (public office) implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office; and the exercise of such power within legal limits constitutes the correct discharge of the duties of such office." (3 Greenleaf (Me.), 481; Mechem's Pub. Office, etc., sec. 2; Olmstead *v.* The Mayor, 42 N. Y. Sup. Ct., 481; Public Officers, Throop, sec. 6.)

Again, the employment must not be merely transient, occasional, or incidental.

In United States *v.* Hartwell (6 Wall., 385) the court held that the term public office embraces the ideas of tenure, duration, emolument, and duties, and that the duties were continuing and permanent, not occasional or temporary.

In United States *v.* Germaine (99 U. S. Sup. Ct., 508) the question of who is or who is not a public officer was again up, and the court said:

"If we look to the nature of defendant's employment we think it equally clear that he is not an officer. In that case (referring to United States *v.* Hartwell) the court said the term embraces the ideas of tenure, duration, emolument, and duties, and that the latter were continuing and permanent, not occasional or temporary. In the case before us the duties are not continuing and permanent, and they are occasional and intermittent. * * * He is required to keep no place of business for the public use. He gives no bond and takes no oath, unless by some order of the Commissioner of Pensions of which we are not advised. * * * He is but an agent of the commissioner, appointed by him, and removable by him at his pleasure, to procure information needed to aid in the performance of his own official duties. * * * There is no penalty for his absence from duty or refusal to perform, except his loss of the fee in the given case."

The duties of the commissioners appointed under the statutes (to which attention will be called) are not continuing or permanent; they have no place of business for the public use, or even for their own use; they give no bond and take no oath. In fact, they are mere agents appointed by direction of Congress for the purpose of gathering information and making recommendations for its use if the Congress sees fit to avail themselves of the labors of the commission. The commissioners appointed under these statutes or resolutions can not be compelled to attend or act, and in the broadest sense they are mere agents of the Congress. These commissioners are not to execute any standing laws which are the rules of action and the guardians of rights, nor have they the right or power to make any such law, nor can they interpret or enforce any existing law.

Under a statute of Maine the governor was authorized "to appoint one or more agents for the preservation of timber on the public lands, and for other purposes," and the judges held that these agents were not a civil office of profit under the State, although they were entitled to compensation. (See 3 Greenleaf Reports (Me.), p. 481.)

In United States *v.* Hendee (124 U. S., 309) it was held that a paymaster's clerk in the Navy is an officer of the Navy, and in United States *v.* Mouat (124 U. S., 303) it was held that such paymaster's clerk, appointed by a paymaster in the Navy, with the approval of the Sec-
50 retary of the Navy, is not an officer of the Navy in the sense that he is an officer of the United States.

The constitution of the State of New York, 1846, article 6, section 8, prohibits the judges of the court of appeals and justices of the supreme court from exercising any power of appointment to public office.

Section 16, chapter 280, laws of 1847, conferred upon the chancellor power to issue a commission to some person empowering him to act as a surrogate in a particular case when by reason of statutory disqualifications the officers designated to act could not do so. It was contended that such person when designated to act as surrogate became a public officer, inasmuch as for the time being and in the matter before whom he was to act as a judicial officer, with full power to hear, try, and determine the particular case, but the court of appeals in matter of Hathaway (71 N. Y., 23) held:

"The term 'public office' as used in the constitution has respect to a permanent public trust or employment, to be exercised generally and in all proper cases. It does not include the appointment, to meet special exigencies, of an individual to perform transient, occasional, or incidental duties, such as are ordinarily performed by public officers; as to such appointments the legislature is left untrammeled and at liberty to invest the courts with power to make them." (Church, Ch. J., Andrews and Miller, J., dissenting.)

In Hall *v.* State (39 Wis., 79), chapter 40, laws of 1857, appointed certain-named persons "commissioners to make a geological, mineralogical, and agricultural survey of the State," and provided that such commissioners should arrange and distribute the functions of such survey by mutual agreement. The law provided a salary and provided for filling vacancies, and gave the governor power to remove any member for incompetency or neglect of duty. The court held that these commissioners were officers. The court said:

"The geological survey commissioners were appointed directly by the legislature; no specific term of office was fixed (except by the governor, whose power to do so may well be doubted); provision was made by law for removing them for cause and for filling vacancies; their salaries were paid out of the State treasury, and their functions were not of merely private, local, or temporary concern, but related to the material and permanent interests of the whole State. The duty imposed upon

them was an important public trust, to be exercised for the benefit of all the people of the State, and could only be discharged properly by gentlemen of high attainments in physical science. * * * It may safely be asserted that any person charged by law with the performance of public functions affecting the general interests of society, especially if he be elected thereto by the people or appointed directly by the legislature, and who receives his compensation out of the public treasury, is a public officer, and as such can have no vested right in his office, unless secured by the constitution. * * * It may be difficult to draw the exact line between an office and a mere service or employment, but, as already observed, when public functions are conferred by law upon certain persons elected by the people or appointed by the legislature, if those functions concern the general interests of the State and are not of a nature merely local or temporary, such persons are public officers, especially if they are paid a salary for their services out of the public treasury."

In re Corliss (11 R. I., 638) the question was up whether the office of a commissioner of the United States Centennial Commission is an office of trust under Article II, section 1, of the Constitution of the United States, and it was held that he was such an officer. The law creating that commission provided "for the holding of an exhibition of American and foreign arts, products, and manufactures, under the auspices of the Government of the United States," and the functions of such commissioners were to continue until the close of the exhibition, and their duties were "to prepare and superintend the execution of a plan for holding the exhibition." By the act of Congress approved June 1, 1872, the duties and functions of the commission were further increased
51 and defined, and a corporation was created called "The Centennial Board of Finance," to cooperate with the commission and to raise and disburse the funds. It was to be organized under the direction of the commission. The commission was also to adopt plans for the erection of buildings, and the corporation created was to erect them in accordance with these plans.

The act also provided that the commission should "have power to control, change, or revoke all such grants, and shall appoint all judges and examiners and award all premiums." The commission was also "to supervise the closing up of the affairs of said corporation, to audit its accounts, and submit in a report to the President of the United States the financial results of the centennial exhibition." The act also provided "no compensation for services shall be paid to the commissioners or other officers provided by this act from the Treasury of the United States." The only other officers provided for by the act were alternates to serve as commissioners when the commissioners were unable to attend.

The court properly held that these commissioners were officers of the United States. They were certainly vested with sovereign functions of the Government, which were to be exercised by them for the benefit of each and every State in the Union and for the benefit of all the people of the United States.

In Bunn v. The People (45 Ill., 397), the court held:

"A person employed for a special and single object, in whose employment there is no enduring element, nor designed to be, and whose duties when completed, although years may be required for their performance, ipso facto terminates the employment, is not an officer in the sense in which that term is used in the constitution of Illinois."

In re Attorneys, etc. (20 Johnson, N. Y.), the court defines the legal meaning of the term "office" to be "an employment on behalf of the Government in any station or public trust not merely transient, occasional, or incidental."

In matter of Hathaway (71 N. Y., 238–243) the court said:

"'Public office,' as used in the Constitution, has respect to a permanent trust to be exercised in behalf of the Government, or of all citizens who may need the intervention of a public functionary or officer, and in all matters within the range of the duties pertaining to the character of the trust. It means a right to exercise generally and in all proper cases the functions of a public trust or employment."

In McArthur v. Nelson (81 Ky., 67) the question was up as to whether certain commissioners were district officers, and the case says:

"The first section of the act authorizes the judge of the circuit court to appoint three commissioners, residents of the district, who shall hold their office at the will and pleasure of the judge. It is made the duty of the commissioners to have the courthouse constructed, at a cost not exceeding $50,000, and to enable them to raise this money they are authorized to issue bonds, with coupons attached, bearing interest at 5 per cent, payable semiannually; and to redeem the bonds and pay the interest they are further empowered to levy an annual tax on the real and personal property in the district, not exceeding 12 cents on the $100, etc. * * * They are not district officers within the meaning of section 10 of article 6 of the constitution, but are the mere agents for the district, required by the act to discharge certain duties with reference to the building of the courthouse, and when those duties end their employment terminates."

In United States v. Germain (99 U. S., 508), the question as to who are and who are not officers of the United States was quite fully considered. Under section 4777 of the Revised Statutes, United States, it is provided:

"That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the periodi-
52 cal examinations of pensioners which are or may be required by law and to examine applicants for pensions where he shall deem an examination by a surgeon appointed by him necessary; and the fee for such examinations and the requisite certificates thereof in duplicate, including postage on such as are transmitted to pension agents, shall be $2, which shall be paid by the agent for paying pensions in the district within which the pensioner or claimant resides out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe."

It was held in the case cited that the appointees under this statute are not officers of the United States, but mere agents of the Commissioner of Pensions.

It is perfectly clear, therefore, that the commissioners appointed under the act approved July 7, 1898, "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes," the resolution approved July 7, 1898 (Public Resolution No. 51), entitled "Joint resolution to provide for annexing the Hawaiian Islands to the United States," and the act approved June 18, 1898, entitled "An act authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," are not persons "holding any office under the United States."

They are persons designated by authority of Congress to make certain investigations, inquiries, etc., or to conduct certain negotiations preliminary to and as a basis for possible action by the Congress of the United States or by one branch of it. They neither make law, execute law affecting the rights of the people, nor perform judicial functions. These commissioners are and are intended to be mere advisory agents of the Congress of the United States. Their investigations are confined to some particular matter or subject, and they are not required to take an oath of office. They have no power to decide any question or bind the Government or do any act affecting the rights of a single individual citizen.

If the House or Senate authorizes or directs the Speaker or President of the Senate, as the case may be, to appoint a special committee to investigate some particular matter or subject and report and recommend legislation, can it be claimed that an office is created or that the Members of the House or Senate appointed hold "an office?" Suppose the President of the United States is authorized to make the appointments. Does this create offices, and are the appointees "officers?"

The acts performed are for the information of the Congress, and it alone. Their suggestions and recommendations have no force; they may or may not be adopted. To make their suggestions or recommendations operative bills or resolutions must be introduced embodying the provisions recommended, or their substance, and these must be enacted into law. If a treaty is recommended by peace commissioners, it must be submitted to the Senate and by it ratified. The acts of such a commission do not bind the President, the Senate, or the Government. Then such commissioners neither make, execute, nor interpret law. They do not possess or exercise any of the sovereign power of the Government of the United States.

That the Senate may feel that it ought to ratify or approve the recommendations of such a commission can make no difference, the fact remains that their acts are not binding upon anyone or upon any departments of the Government.

If the Congress of the United States should see fit by joint resolution to authorize the President to appoint 10 persons as com-
53 missioners, whose duty it should be to investigate the condition of the people residing in Porto Rico and recommend laws suitable to their government, and should appropriate money to pay the expenses of the commission, would anyone contend that such commissioners, when appointed, would become other than mere agents of the Congress for the purposes specified? Would they possess or exercise legislative, executive, or judicial functions or powers? Such commissioners would possess the mere naked power to investigate and report, and their action would conclude no one, nor would they execute or interpret any law. Their action would not affect in the slightest degree the personal or property rights of a single citizen of the Republic. They would be answerable to no power for misconduct; they would be bound by no oath.

"The officer is distinguished from the employee," says Judge Cooley, "in the greater importance, dignity, and independence of his position; in being required to take an official oath, and perhaps to give an official bond; in the liability to be called to account as a public offender for misfeasance or nonfeasance in office, and usually, though not necessarily, in the tenure of his position."

Attorneys and counselors admitted to practice in the courts of the United States are not officers of the United States. (Ex parte Garland, 4 Wall. (U. S.), 333; see also, In re Robinson, 131 Mass., 376.)

In People v. Nichols (52 N. Y., 478), one of the judges of the court of appeals was designated by statute as one of three persons to examine and report upon the genuineness and value of certain relics which the State proposed to purchase, and upon the certificate of these commissioners the purchase price was to be paid. The court held that this was not an office or a public trust within the meaning of the constitution of that State, which prohibits such judge from holding an office or public trust. Said the court: "It is very plain that the doing of such an act, a single act like this, is not within the meaning of the constitutional prohibition against holding any other office or public trust" (p. 485).

Applying these principles to what is known as the Postal Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act 131, "An act making appropriations for the fiscal year ending June 30, 1899," are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Industrial Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act No. 146, "An act authorizing the appointment of a nonpartisan commission to collate information and consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," approved July 7, 1898, are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Canadian Commission, the committee finds that those Members of the House of Representatives appointed or designated as commissioners under public act No. 182—"An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and prior years, and for other purposes"—are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to the Hawaiian Commission, the committee finds that those Members of the House of Representatives appointed or
54 designated as commissioners under public resolution No. 51—"Joint resolution providing for annexing the Hawaiian Islands to the United States"—are not, nor are any of them, officers under the United States within the meaning of the Constitution.

In respect to visitors to the Military Academy, etc., the committee finds that those Members of the House of Representatives appointed and designated as visitors to the Military Academy at West Point, to the Naval Academy at Annapolis, and the regents and directors and consulting trustees to the various public institutions in the District of Columbia and appointed by the Speaker of the House, are not, nor are any of them, officers under the United States within the meaning of the Constitution.

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55 MEMBERS OF CONGRESS ACCEPTING COMMISSIONS IN THE UNITED STATES ARMY.

Before entering into a discussion of the law governing Members of Congress holding commissions in the United States Army, it is but due to the committee to say that it has approached the consideration of the questions involved with a delicacy growing out of their appreciation of the patriotic services tendered to their Government and rendered by these officers. Every opportunity has been given to them to be heard. The committee has proceeded with deliberation and care, and there is not a member of the Committee on the Judiciary but entertains the highest respect for the gentlemen interested. But the resolution was

sent to this committee by a vote of the House, and it becomes our duty to consider and report to the House our findings of the law and fact governing these cases.

The most exhaustive treatment that has been given to these questions will be found in Report No. 110, Thirty-eighth Congress, first session, in the matter of the military appointment of Hon. F. P. Blair, jr., which is known as the "Dawes Report." The feeling of this committee can not be better expressed than by quoting a paragraph from that report:

"These questions are all of the gravest importance, and have ever been so considered whenever they have arisen. They affect seriously the privileges and the independence of the House, and can not be disregarded without trifling with both; and when the House of Representatives shall cease to guard its own privileges, and even its own independence, it will cease also to be worthy of a free people, and be fit only to be cast out."

The facts already found in this report clearly show that four Members of the present House of Representatives, after being duly elected, qualified, and acting as such, accepted commissions in the United States Army in the Spanish-American War, and acted in the Army as United States officers under such commissions.

Does a Representative in Congress, duly elected, vacate such office by accepting, during the term for which elected and after he has qualified as such, a commission, issued by the President, as an officer in the Army of the United States? is the practical question suggested by the inquiry directed by the House to be made by the Committee on the Judiciary.

The question is not now presented for the first time, and we have, therefore, precedent, as well as the plain and unequivocal language of the Constitution, to guide us in answering the question propounded.

Section 6 of Article I of the Constitution of the United States provides as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

A person holding a commission in the Army or Navy of the United States and not on the retired list is an officer of the United
56 States, and he holds that office under the United States. The office is created by law and filled by appointment of the President, when such appointment is confirmed by the Senate. Such a person is not, however, a civil officer—he does not hold a "civil office."

It follows that a person while holding the position of Senator or Representative in the Congress of the United States may be appointed to an office in the Army or Navy either created or the emoluments of which have been increased during the time for which he was elected, or to any office in that service.

(1 Story on the Constitution, sections 791–792.)

The first prohibition relates solely to a "civil office." May such person accept such new office or any office under the United States and still hold his position as Representative in Congress?

It is evident that it was the policy of the framers of our Constitution to prohibit Senators and Representatives in Congress from creating civil offices or increasing the salaries pertaining to civil offices and then enjoying the fruits of their own work during the term for which they were elected. This provision removes, to some extent, the temptation to bad or unnecessary legislation by Members of Congress. It is true that they may vote to create a civil office or to increase the emoluments thereof and be appointed thereto after their term has expired, but the idea seems to have prevailed that a newly created office might, and probably would, be filled by the appointing power at once, or at least before the legislators creating it would be out of office and so situated as to accept its benefits or emoluments.

But the Constitution goes further and in the same connection declares that "no person holding any office under the United States shall be a Member of either House (of Congress) during his continuance in office." (The office held by him under the United States.)

The second prohibition relates to "any office" held under the United States, whether it be civil or military or naval. It is evident that the framers of the Constitution used the word "civil" understandingly and intentionally in the first prohibition and for the purpose of distinguishing civil offices from military and naval offices. It is also evident that the framers of the Constitution used the word "any" in the second prohibition intentionally and for the purpose of declaring that no Senator or Representative in Congress shall hold an office under the United States and at the same time "be a Member of either House" of Congress.

It has been suggested that it was the purpose of the framers of the Constitution to declare that a person shall not act as a Senator or Representative in Congress during the time he holds an office under the United States, and that the effect of the constitutional provision is to permit a Senator or Representative in Congress to hold his position as such Representative and at the same time hold, accept, and perform the duties of another office under the United States, his right to act in the first capacity being suspended while holding and performing the duties of the second.

Such a construction of this section of the Constitution imputes to its framers the inability to express their ideas with any clearness whatever. It is plainly declared that "no person shall be a Member of either House during his continuance in office" if he holds any office under the United States. This language goes to the very existence of the individual as a Member of the Senate or House of Representatives while holding another office under the United States. Had suspension of the power to act been aimed at, apt words expressing the purpose would have been used. The words "act as" would have been
57 substituted for "be." "Be" means "to exist, have existence or being." Therefore the Constitution declares that no person holding any office under the United States shall exist or have existence or being, while in such office, as a Member of either House of Congress.

At the present time, when the patriotic impulses of our people have been so deeply stirred, it may seem unpatriotic to say this—to assert that a Member of this House may not accept a commission in the Army, go upon the field of battle and fight for his country, and still retain his seat in the House of Representatives; but the manifest dangers that would follow any other construction of the Constitution—even were any other construction possible—must make the meaning of the framers of that instrument plain, and no mere patriotic sentiment should be permitted to override the plain language of the fundamental written law.

Both Story and Rawle, in their able and admirable works on the Constitution, have accepted the language of the Constitution of the United States above quoted as prohibitory and without discussion have proceeded to point out the wisdom of the provision.

Rawle says, chapter 19:

"But although no reasons merely of a legal nature might be opposed to it, the impolicy of admitting such officers to compose a part of the legislature is exceedingly plain."

Again, he says:

"The public officer being therefore considered with us as having actual living duties which he is bound to perform, and as having no more time than is necessary to perform them, the Constitution expressly excludes him from a seat."

Story says, Volume 1, section 869:

"The other part of the clause which disqualifies persons holding any office under the United States from being Members of either House during the continuance in office has been still more universally applauded and has been vindicated upon the highest grounds of public policy."

In section 871 he says:

"It is true that an acceptance of any office under the Crown is a vacation of a seat in Parliament. This is wise and secures the people from being betrayed by those who hold office and whom they do not choose to trust."

The Hon. James Wilson, LL. D., one of the associate justices of the Supreme Court of the United States, and professor of law in the college of Philadelphia (and also a signer of the Declaration of Independence and a member of the convention that framed the Constitution of the United States), in his lectures delivered in 1790–91 (1 Wilson's Works, pp. 446–449) takes the same view of the Constitution, and after condemning in severe language the English practice of appointing members of Parliament to other offices under the Crown and then permitting them to be reelected to Parliament while holding such offices, says:

"The result is that a provision by which the members of the legislature will be precluded, while they remain such, from offices, finds, with great propriety, a place in the Constitution of the United States. In this important particular it has a decided superiority over the constitution of Great Britain."

This language, contemporaneous with the adoption of the Constitution itself, and coming from one of the framers of that instrument, is significant.

And see also Angell and Ames on Corporations, section 434, Wilcox on Municipal Corporations, section 617, in which the doctrine is distinctly laid down that "a resignation by implication may not only take place by an abandonment of the official duties, as before mentioned, but also by being appointed to and accepting a new office incompatible with the former one."

58 Again it is stated:

"It is a rule of general law that an officer who accepts another appointment inconsistent with the first is held to have thereby resigned the first." (Rawle on the Constitution, chap. 19, p. 184.)

And again we find the doctrine clearly laid down as follows:

"By force of the constitutional inhibition against the holding of two lucrative offices by the same person at the same time, the acceptance of and qualification for a second office incompatible with the precedent one ipso facto vacates the precedent office; and neither a quo warranto nor other amotion from the office thus vacated is necessary before the vacancy can be supplied." (Blencourt *v.* Parker, 27th Texas, 558; Rawle on the Constitution, chap. 19, p. 184.)

Clearly one accepting an office under the United States, he having previously qualified as a Member of Congress, vacates his seat by such acceptance, and there is no way that he can again hold a seat in Congress but through a reelection by the people and then again becoming qualified as a Member of Congress without the disqualification of holding another office under the United States.

Practical construction was given to this constitutional prohibition by the Seventh Congress of the United States. (Annals of Congress, 7th Cong., 2d sess., 1802–03, p. 297.)

In that case John P. Van Ness, of New York, after being elected to and while occupying a seat in the House of Representatives, accepted a commission and exercised the office of a major of militia in the District of Columbia under the authority of the United States. By a unanimous vote his seat was declared vacant. (See pp. 296, 352, 395.)

The same question has been raised since that time and directly passed upon by a vote in Congress.

The question was also passed upon by the Twenty-ninth Congress and again by the Thirty-seventh and Thirty-eighth Congresses.

Archibald Yell, of Arkansas, was elected to the Twenty-ninth Congress and took his seat. In July, 1846, he accepted a commission as colonel of volunteers authorized by act of Congress approved May 13, 1846. His commission was issued by the authorities of the State of Arkansas, but he and his command were mustered into the service of the United States and he came under the authority of the United States and drew his pay from the General Government. In December, 1846, Thomas W. Newton was elected to fill the vacancy alleged to exist by reason of said facts. Newton appeared and claimed the seat. Yell did not appear, neither did he formally resign. The committee reported the following:

"*Resolved further*, That Thomas W. Newton is entitled to a seat as a Member of this House from the State of Arkansas."

When it appeared that Mr. Yell had accepted his commission and been mustered into the service of the United States, all opposition to the resolution was withdrawn, and it was adopted. (See 1 Bartlett's Dig. Contested Elec. 1834–1865, 2d sess., 38th Cong., 92–97.)

In the Thirty-seventh Congress (2d sess., Apr., 1862) the case of Byington *v.* Vandever arose. Vandever was duly admitted to this seat, having been elected in 1860. Mr. Vandever raised a regiment of volunteers in the State of Iowa, pursuant to the act of Congress, and August 30, 1861, was appointed colonel of the Ninth Iowa Volunteer Infantry, being commissioned by the governor of Iowa, and September 24, 1861, he was mustered into the service of the United States and continued in such service thereafter, and was in the service when
59 the question was raised of his right to a seat, or whether he was a Member of the House.

The following resolution was reported and adopted without division:

"*Resolved*, That William Vandever has not been entitled to a seat as a Member of this House since he was mustered into the military service of the United States as colonel of the Ninth Regiment of Iowa Volunteer Infantry, to wit, since the 24th day of September, A. D. 1861."

Mr. Dawes, in report 210, says this was afterwards reconsidered and postponed to a day certain, but never reached.

The debate, participated in by Mr. Dawes and Mr. Shellabarger, is interesting and instructive, and the case may be found in First Bartlett's Digest Contested Election Cases, 1834 to 1865, pages 395–400.

The question was again up in the case of Gen. Frank P. Blair, of Missouri (1st sess., 38th Cong.; see Report No. 110). Gen. Blair was elected in the fall of 1862. The Thirty-eighth Congress did not organize until December, 1863. Gen. Blair continued to hold his commission as

major general in the Volunteer service of the United States and perform his duties as such commissioned officer after that date, and his seat was declared vacant, although he resigned his commission before taking his seat.

It appears that the question has been passed upon by the House itself as follows: Case of John P. Van Ness, Seventh Congress, second session; case of Archibald Yell, Twenty-ninth Congress; case of William Vandever, Thirty-seventh Congress; case of Frank P. Blair, Thirty-eighth Congress, first session.

In the House, incidentally through reports of committees: Case of Samuel Herrick, Fifteenth Congress, first session; case of Elias Earle, Fifteenth Congress, first session; case of George Mumford, Fifteenth Congress, first session; case of E. D. Baker, Twenty-ninth Congress, first session; case of Robert C. Schenck, Thirty-eighth Congress, first session.

In the Senate, report of Committee on the Judiciary: Case of Gen. James H. Lane, Thirty-seventh Congress.

The action has always been uniform and adverse to the proposition that a person may be a Member of either House of Congress (subsequent to its meeting) and an officer in the Army of the United States or in the Volunteer forces mustered into the service of the United States.

E. D. Baker, then of Illinois, afterwards Senator from Oregon and colonel in the Union Army, a Member of the Twenty-ninth Congress, accepted and exercised the office of colonel in the Volunteer service of the United States (War with Mexico), and drew his compensation as such. At the commencement of the controversy he resigned his seat, and no vote was taken. (See also Stanton *v.* Lane, vol. 6, S. Misc. Docs., 2d sess. 52d Cong.; "Compilation of Senate election cases," p. 180; 1st and 2d sess. 37th Cong., Cong. Globe, 1st sess., pp. 406 and 407, etc.)

The case of Stanton *v.* Lane was finally determined on two grounds: (1) The office of brigadier general did not exist when Lane was appointed, and (2) he resigned as such brigadier general before taking his seat in the Senate.

It may be claimed that an exception is found in the action of the Thirty-seventh Congress when on July 12, 1861, Mr. Vallandigham offered the following resolution:

"Whereas it is rumored that Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson and Charles J. Biddle, of Pennsylvania; and Samuel R. Curtis, of Iowa,
60 holding seats in this Congress as Members thereof, have been sworn into the military service of the United States and hold military offices under the authority of the same; and

"Whereas James H. Campbell, of Pennsylvania, also holding a seat in this House as a Member thereof, has admitted upon the floor of this House that he has been so sworn and does so hold office as aforesaid: Therefore,

"*Resolved*, That the Committee on Elections be instructed to inquire, and without unnecessary delay to report, whether the gentlemen above named, or any others claiming or holding seats as Members of this House and at the same time holding any military office under the authority of the United States, are constitutionally disqualified to be Members of this House by holding such military office."

This resolution upon its introduction was discussed and the facts denied, and on motion was laid on the table without being sent to the Committee on Elections or to any other committee. It was laid upon the table by a vote of 92 yeas to 51 nays, such gentlemen as Roscoe Conklin, Crittenden, Holman, Voorhees, and others voting in the negative. Nothing was settled, excepting that in the then temper of the House and country the House was determined not to allow Mr. Vallandigham's motion to be investigated either as to the law or the facts. If it settles anything it demonstrates what many will remember, that this was at a heated and exciting time in the history of our country, and the majority of the House was in no temper to receive suggestions from Mr. Vallandigham, who at that time was far from being in harmony, as many believed, with the burning patriotic sentiment of the country in the North. It should be borne in mind also that notwithstanding this action the same Congress, as shown in this report, laid down the doctrine that military officers of the United States could not at the same time be Members of the House.

It is evident that it was the policy of the framers of our Constitution to prohibit Senators and Representatives in Congress while remaining such from holding any other office under the United States, and no plainer language to declare the purpose could have been used than the words of the Constitution, viz: "No person holding any office under the United States shall be a Member of either House during his continuance in office." The framers of the Constitution intended to keep the legislative, judicial, and executive branches of our Government separate and distinct; to prevent Cabinet officers from being Members of Congress, and thereby giving undue power to the President and his immediate advisers; to prevent the centralization of power and office-holding power in a few hands; to prevent judges from acting at the same time as legislators and thus concentrating power in the courts; to avoid the manifold dangers to the existence and perpetuity of our free institutions and a representative government that would follow a concentration of the legislative and judicial or the legislative and executive (the military and naval power being a branch of the executive) in a few and the same hands.

Without this constitutional restraint it would be possible for a President and the Congress to act in collusion; for the Congress to create high military and naval positions without limit and for the President to fill these offices from the ranks of unscrupulous, unpatriotic, and ambitious Senators and Representatives in Congress (the Senate confirming as a matter of course), and as the President is Commander in Chief of the Army and Navy, to thus concentrate all power in the hands of the executive branch of the Government. These military legislators might increase the Army, control the elections by the bayonet, and government by the people and for the people would end. Two printed lines in the Constitution of the United States has made all this impossible.

61 The 13 infant Colonies, subsequently the 13 original States of this Union, were dependencies of Great Britain, and in England a person holding a seat in the House of Commons at once vacates it by accepting any public office under the Crown. (1 Story on the Constitution, sec. 871.)

This had been the law of England for more than a hundred years prior to the Revolution. It is true, however, that persons holding such an office might be reelected to the House of Commons without vacating the office and then hold both at the same time. The evils and the alleged advantages of this system are many and have been ably pointed out by many writers. It is fair to presume that the framers of our Constitution carefully considered this question and inserted the language quoted for the express purpose of avoiding the abuses that had sprung up under the English system and of making our liberties the more secure.

So long as we keep the legislative, the judicial, and the executive departments of this Government separate and keep the legislative independent of the military and naval power, seeing to it that competent and patriotic men administer the affairs of each of these branches of Government, we may hope for national prosperity and to preserve our liberties and maintain good government. But when those who make the laws shall at the same time also interpret and execute them, or when those who make the laws hold high places in our Army and Navy, powerful branches of the executive, the lust of power may and probably will lead to encroachments upon the rights and liberty of the citizens, and our form of government will be at an end.

There would be no danger to the Republic in allowing the gentlemen whose seats are in question here to hold their places as Representatives in Congress and their commissions in the Army at the same time, but the question is one of law, and involves a principle of vast importance which must be met and decided without reference to individual cases.

If it be proper and constitutional for one general in the Army to hold the position of Senator or Representative in Congress at the same time, it is also lawful for the President to appoint every Senator and Representative in Congress to a high place in the Army and Navy, and the result would be to transform the National Legislature into a band of military officials, and, while there is no present danger that this will be done, it is easy to see, in the light of history, that this very danger was guarded against by the framers of the Constitution, who believed that the safety of the Republic depended upon the making of encroachments by the military upon the legislative powers impossible.

The result is and must be that the acceptance of an office in the Army under the United States by a Representative in Congress at once and by force of this constitutional provision vacates his position as such Representative and he ceases to be such. Such acceptance of office is per se equivalent to an absolute resignation of the seat in Congress. (See the numerous cases hereafter cited.)

As already stated, there is no prohibition upon the President in appointing Senators or Representatives in Congress to offices in the Army or Navy. It is evident that in times of war it may be necessary to create a large number of military and naval offices, and the public good and safety may demand that such offices be at once filled by men holding seats in the National Legislature. Soon after the close of our Civil War many of our most able, experienced, and distinguished generals, after being mustered out, were elected to Congress. Had
62 a war broken out with some foreign nation, and a large increase of the Army or Navy, or both, been made necessary, and had a score of important Army and naval positions been made necessary and created by the Congress, the public good and safety would have demanded the appointment of such men as Logan and Garfield to high military commands.

During the late war with Spain the appointments of Gen. Wheeler from the House of Representatives and of Gen. Sewell from the Senate to high offices in the Army were commended as wise and proper. It was, however, incumbent upon these gentlemen to elect whether they could best serve their country in its legislative halls or upon the field of battle, and he who accepted the position in the Army necessarily and, ipso facto, vacated his position as a Member of the Congress of the United States. (See cases cited hereafter.)

It may be said that there are many offices under the United States of little importance and carrying little or no pay, and that it can not be possible that the framers of the Constitution contemplated forbidding a Member of the National Legislature to hold one of these small offices. This is not the question. No line could be drawn between the large and the small offices. The principle declared was that a Member of the Congress of the United States shall not hold any office under the United States and retain his seat as a national legislator.

It will not do to say that the appointment of a Representative in Congress to an office under the United States and its acceptance by him merely operates to suspend the power of the legislator to act, for if so the President of the United States by collusion with the Congress might appoint a majority of the legislators chosen by the people to high offices, and thus destroy a quorum in the law-making body, and as the people would be powerless to elect other, in their places, there being no vacancies, the power to enact laws for the protection of the people and the preservation of the Republic would be destroyed. Thus by indirection and collusion between the Executive and the legislative bodies might the destruction of the Republic be accomplished. In any event great inconvenience would result.

It may be politic and wise at times for some legislator skilled in military science to abandon the halls of Congress for the field, but when he does this his place should be filled by the people of his district or State, who have the right to be represented at all times by a living, acting Member. It was not intended by the framers of the Constitution that a congressional district or a State should go unrepresented while the elected Member or Senator, with the approval of the President and Senate, sees fit to absent himself and serve as a military or naval officer, or as a judge, or in some other office under the United States. The Senator or Representative in Congress is a representative of the people, and is elected by them to perform certain specified constitutional duties in their interest, and he has no right to enter some other public office under the United States and, even temporarily, abandon the performance of the duties of the position to which he was elected.

It is evident that our Constitution contemplates, and that public policy demands, that no Representative in Congress shall suspend by his own act, and without the consent of his constituents, his power and duty to act as their Representative during such time as he sees fit to serve in some other obtainable Government office. From a legal standpoint it is immaterial whether such action is taken from patriotic or selfish motives.

It may be argued that our executive and legislative bodies are composed of men too pure minded and patriotic to endanger the
63 Nation. This is undoubtedly true as matters now are, but once open the door, extend the temptations, and who can foresee the results?

It may be suggested that there is not an entire and complete severance of legislative and judicial or of legislative and executive powers, duties, and functions under the Constitution. This is true in a limited and restricted sense. The President of the United States must approve acts of the Congress before they become laws, unless passed over his veto, and, as he is to execute the laws, we have here the Executive taking part in the enactment of laws. So the President, heads of departments, and judges may openly suggest and recommend legislation. As the President is also the Commander in Chief of the Army and

Navy, we find here a mild and modified blending of the legislative and military powers. But the President is not a member, even ex officio, of the legislative branch of the Government. So the Senate forms an integral part of the court for the trial of impeachments. Again, both the Senate and House act judicially in determining the rights of persons to seats in those bodies, respectively.

"All American constitutions, State and Federal, provide for the separation of the three great powers of government and their apportionment to distinct and independent departments of the Government.

"It is a fundamental maxim of political science, recognized and carried into effect in the Federal Constitution and the constitutions of all the States, that good government and the protection of rights require that the legislative, executive, and judicial powers should not be confided to the same person or body, but should be apportioned to separate and mutually independent departments of government.

"The idea of an apportionment of the powers of government and of their separation into three coordinate departments is not a modern invention. It was suggested by Aristotle in his treatise on politics and was not unfamiliar to the more advanced of the medieval jurists. But the importance of this division of power, with the principle of classification, were never fully apprehended in theory until Montesquieu gave to the world his great work on the Spirit of the Laws. Since then his analysis of the various powers of the state has formed part, as Maine says, of the accepted political doctrine of the civilized world. 'Montesquieu says:

"'In each State there are three sorts of power—the legislative power, executive power with relation to matters depending on international law, and executive power with relation to matters depending on the civil law. * * * The last is called judicial power. * * * If the legislative power is united in the same person or body of magistrates with the executive power, there is no liberty, for it is to be apprehended that the monarch, or the senate, as the case may be, will make tyrannical laws in order to execute them tyrannically. Neither is there any liberty if the judicial power is not separated from the legislative and the executive power. If it were joined with the legislative power there would be arbitrary authority over the life and liberty of the citizens, for the judge would be the lawmaker. If it were joined with the executive power, the judge would have the might of an oppressor. All would be lost if the same man, or the same body of chiefs, or of nobles, or of the people, exercised these three powers—that of making the laws, that of executing the public resolutions, and that of judging the crimes or controversies of individuals. The framers of our Constitution were strongly influenced by these opinions of the French jurist, to whose views in general they were disposed to pay great deference, as is fully apparent from the pages of the Federalist.'" (Black's Constitutional Law, sec. 51, p. 73; Sill v. Village of Corning, 15 N. Y., 297–303.)

It must be remembered that our Constitution was framed soon after the close of the Revolutionary War, during the exciting times of the French Revolution, and that it was the declared purpose of the founders of our Republic in establishing its system of government to establish and perpetuate by constitutional guaranties the rights and liberties of the citizen.

See debates where this very provision of the Constitution was discussed and adopted. (Compilation of Senate election cases, Senate Mis. Doc., 2d sess, 52d Cong. (vol. 6), pp. 13–19.)

We may well ask, and the inquiry is a pertinent one, who in this Republic desires to see a single Member of the National Legislature under the absolute command of the President of the United States? And who desires to see generals of the Army with the Army under their command and bound to implicit obedience, exercising power as legislators or clothed with the power to pass from the Army into Congress and from the Congress into the Army, exercising the powers of either position without reference to the will of the people, and only as the President might command?

It can not be that the framers of the Constitution wrote therein a provision so repugnant to the spirit prevailing in that body and among the people—a provision that might completely subordinate the legislative to the military power. In this country we do not fear an encroachment by the military upon the legislative power, because of this very provision, which makes it impossible for an officer in the military department to hold a place in the legislative, and for the further reason that the legislative body, by refusing to raise taxes or vote supplies or appropriate money, may absolutely cripple the military and naval organizations. But fill our legislative halls with Army officers or with those who may swing back and forth at their election, or, in some cases, place therein a small number, and a military despotism will in the end usurp the Government in fact, even if the name and form remain the same.

It may be suggested that military officers after being retired and placed on the retired list have been Members of Congress.

This is true, but it is settled law that persons on the retired list of the Army do not hold office under the United States in the constitutional sense. (People v. Duane, 121 N. Y., 367; In re Hathaway, 71 N. Y., 238; U. S. v. Hartwell, 6 Wall., 385; U. S. v. Germaine, 99 U. S., 508; U. S. v. Tyler, 105 U. S., 244.)

It may be contended that persons on the retired list of the Army do hold office under the United States, citing Badeau v. United States (130 U. S., 439), but this authority does not so hold. That case simply relates to salary under particular statutes.

These persons are still in the service but hold no office unless assigned to duty.

To hold an office under the United States the person must occupy a public station or employment conferred by the appointment of government; and it embraces tenure, duration, emoluments, and duties.

Says the court in 212 New York, page 373:

"It is difficult to conceive of the existence in this country of a military office without the power of command, the right of promotion, or the obligation to perform some duty."

And for the reason that retired Army officers are not entitled to promotion, do not perform duty, and exercise no command, it is held that when retired they cease to be officers.

It remains to consider what action, if any, is necessary on the part of the House of Representatives.

It is the settled and unquestioned law in England and the United States that—

"The appointment of a person to an office incompatible with one already held by him is valid, and he has a right to elect." (Angell and Ames on Corporations, 255.) "If he accepts, takes the oath, and enters on the duties of the second office, the first office is absolutely determined." (People v. Carrique, 2 Hill, 93; Rex v. Trelawney, 3 Burr, 1616 (opinion by Lord Mansfield); Milward v. Thatcher, 2 Term Rep. (Durnforth & East), 87; Gabriel v. Clark, Cro. Cas., 138; Rex v. Godwin, Doug., 383, note 22; Rex v. Patteson, 4 Bran. & Adol., 9; Willcock on Municipal Corp., 240, p. 617; Dillon on Municipal Corp., 3d ed., sec. 225; People ex rel. Kelly, 77 N. Y., 510; People v. Nostrand, 46 N. Y., 381; People v. Board of Police, 35 Barb., 540; Horton v. Parsons, 37 Hun., 46; Commonwealth v. Hawkes, 123 Mass., 525 (per Gray, C. J.); State v. Buts, 9 S. C., 156; Stubbs v. Lee, 64 Me., 195; State v. Draper, 45 Mo., 355; Cotton v. Phillips, 56 N. H., 220; Kerr v. Jones, 19 Ind., 351; Regents of the University v. Williams, 9 Gill. & Johns. (Md.), 365; State v. Kirk, 44 Md., 401; Foltz v. Kerlin, 105 Md., 221; People v. Hamifarr, 96 Ill., 420; State v. Hutt, 2 Ark., 282; State v. West, 33 La. Ann., 1261.)

In People v. Nostrand, supra, the court says:

"It is a settled rule that the acceptance of an incompatible office operates as a resignation of the incumbent of the office then held by him."

In People v. Kelly, supra, the court said:

"The moment he accepted the new office the old became vacant. His acceptance of the one was an absolute determination of his right to the other and left him no shadow of title, so that neither quo warranto nor a motion was necessary (citing cases). These cases also show that this would be so at common law and independent of the statute. * * * The office was and is as vacant as if Mr. O'Reilley had never been born; his removal is as complete as if caused by death. When he accepted the new office the other ceased to have an incumbent."

Says Angell and Ames on Corporations, first edition, 255:

"This is an absolute determination of the original office and leaves no shadow of title to the possessor; so that neither quo warranto nor a motion is necessary before another may be elected."

Said Parke, J., in Rex v. Patteson, supra:

"Where two offices are incompatible they can not be held together, is founded on the plainest principles of public policy, and has obtained from very early times."

This rule is not limited to corporate offices but extends both in principle and application to all public offices. (Dillon on Mun. Corp., 3d ed., sec. 227; Glover on Corp., 139.)

The whole question is somewhat fully discussed in McCrary on Elections (3d ed., secs. 302–904, inclusive).

Is the position or office of Representative in Congress incompatible with any other office under the United States?

The Constitution itself answers the question when it declares, "and no person holding any office under the United States shall be a Member of either House during his continuance in office."

This is a constitutional declaration that the two positions are incompatible. In the case of Stanton v. Lane (Compilation of Senate Election Cases, p. 181, where the report of the Senate Committee on the Judiciary is found in full) the report says:

"In the opinion of the committee the office of brigadier general under the United States is incompatible with that of Member of either House of Congress. By accepting the office of brigadier general the sitting Member, Mr. Lane, virtually resigned his seat in the Senate, and it became vacant at that time."

In Kerr v. Jones (19 Ind., 351), the court held:

"The offices of reporter of the Supreme Court and colonel of militia are incompatible, and the acceptance of the latter vacates the former."

Says the report in the case of Blair and Schenck, Thirty-eighth Congress, first session, No. 110:

"The duties of the two offices are so entirely incompatible that this of itself, were there no other obstacle, would render their discharge by the same person an impossibility. The Representative is elected by the people, and represents them in the House, discharging the duties they require of him under the Constitution; the major general is appointed by the President, by and with the advice and consent of the Senate, and is required to obey him as Commander in Chief, and 'no man can serve two masters.' The Representative is required to discharge his duties in this House, and can not leave his seat without consent of the House; the major general is required to discharge his duties in the field, and can not leave his saddle without consent of his Commander in Chief—the President—and no man can be in two places at the same time.

"The Representative 'shall not be questioned in any other place' 'for any speech or debate' in the House, but if he be a major general, and that 'speech or debate' be construed as disrespectful to his superior officer, he may be court-martialed for it. He 'shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during his attendance at the session of the House, and in going to and returning from the same,' but if he be in the military service and his furlough has expired, he may be arrested and lodged in a guardhouse by a corporal of guard to await trial. He may as a Representative be called upon to vote upon the propriety or continuance of the Rules and Articles of War for the violation of which he may be at the very moment on trial; and his duty as a Representative may require of him to impeach the President, his Commander in Chief, if he be a major general, while his duty as a soldier may at the same time require of him unquestioned obedience, on pain of death, to the order of that same Commander in Chief to absent himself from his seat and report in person a thousand miles from the Capital.

"It is not necessary to cite other instances of incompatibility, though they will crowd at every step the path of him who attempts thus to travel at the same time in opposite directions. These are sufficient to show the impossibility.

"If there was not any such impossible incompatibility as has been shown to exist, still the holding of these two offices by the same person at the same time would be against the whole theory of our institutions, antirepublican, and most dangerous in its consequences. Nothing is plainer in the theory and plan of this Government than the distinct and separate organization of the executive, judicial, and legislative departments, and the sedulous care with which each has been clothed and guarded in the exercise of duties entirely independent of the others. Yet the attempt to invest the same person with two offices—one legislative and the other executive—and require of him at the same time the discharge of the duties of both, is, whether they be conflicting or not, a commingling of the duties of the executive and legislative departments.

"It is bringing the Executive himself into the very Halls of Congress, and if persisted in might ultimately prove as pernicious as if he had a seat therein and as many votes as he had commissions. If one Representative in Congress may at the same time hold under the Executive the office of major general so may another, and another may as well be a brigadier general, or hold any other official position in the military service under the Executive and Commander in Chief, and bound to obey him. By such process the House may at any time be put under the control and become the pliant instrument of the Executive to any end. Its Members would cease to be the representatives of the people and become only the agents of the Executive.

"The framers of the Constitution saw this so clearly and felt that the independence of the legislative over the executive department was so essential and vital that they deemed the inhibition worthy of an express constitutional enactment, that 'No person holding any office under the United States shall be a Member of either House during his continuance in office.' (Art. I, sec. 6.) And here ends the argument. Nothing can be said to gainsay or to enforce a plain constitutional provision. Thus saith the Constitution. The two offices can not be held by the same person at the same time."

The foregoing is from the Dawes report, which is commended for its exhaustive treatment of this subject. Attention is called to this emphatic language in that report:

"The House has ever been awake to this constitutional guard of its independence, and has never failed when occasion requires to resist any invasion of its privileges in this particular." (Rept. 110, 38th Cong., 1st sess., p. 5.)

Two questions were distinctly settled in that report, and two cases were considered by the committee together.

In the case of Robert C. Schenck, he was elected in the fall of 1862, his term to begin March 4, 1863. The first session of the Congress to which he was elected commenced December 7, 1863. He resigned the military office of major general to take effect December 5, 1863. His resignation was accepted to take effect on that date. He then appeared and was qualified December 7, 1863, and entered upon his duties as Member of Congress. He performed no act as Member of Congress until December 7, 1863. He indicated no acceptance as Member of
67 Congress until the latter date. He drew no pay as a Member of Congress until the session commenced, December 7, 1863. After that date he drew pay and performed the duties of a Member of Congress. The House held that he was entitled to his seat, as he was not a military officer of the United States when he determined to accept and did accept and qualify as a Member of Congress. The following is the resolution reported by the committee in that case:

"*Resolved*, That Robert C. Schenck, having resigned the office of major general of volunteers, which he then held, on the 13th of November, 1863, which resignation was accepted November 21, 1863, to take effect December 5, 1863, was not by reason of having held such office disqualified from holding a seat as Representative in the Thirty-eighth Congress, whose first session commenced on the 7th day of December, 1863."

In the case of Gen. Blair, he acted as a major general after the date of the meeting of the Congress to which he was elected, and in this same report of Mr. Dawes the following resolution was submitted:

"*Resolved*, That Francis P. Blair, jr., by continuing to hold the office of major general of volunteers, to which he was appointed November 29, 1862, and to discharge the duties thereof until January 1, 1864, the date of his resignation, did thereby decline and disqualify himself to hold the office of Representative in the Thirty-eighth Congress, the first session of which commenced on the first Monday in December, 1863."

Again, Article I, section 1, of the Constitution says:

"All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives."

The powers of Congress are then specified.

Article II, section 1, says: "The executive power shall be vested in a President of the United States of America." Section 2: "The President shall be Commander in Chief of the Army and Navy of the United States and of the militia," etc. Article III, section 1: "The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts," etc.

It is therefore apparent that it was not intended that the duties of those three departments should be performed by the same man or bodies of men.

"Whether offices are incompatible depends upon the charter or statute and the nature of the duties to be performed. (1 Dillon on Mun. Corp., 3d ed., sec. 227; Milward *v.* Thatcher, 2 Term Rep. (D. & E.), 87; People *v.* Carrique, 2 Hill, 93.)

"Incompatibility in offices exists where the nature and duties of the two offices are such as to render it improper from considerations of public policy for one incumbent to retain both." (1 Dillon Mu. Corp., 3d ed., sec. 227 and note; Kerr *v.* Jones, 19 Ind., 351.)

In the light of the common law, of the Constitution, of the fact that a person should not at the same time both make and execute the law, and that the legislative should not be subservient to the executive, it is clear that the position of Representative in Congress and of an officer in the Army of the United States are incompatible offices.

The duties of a Member of the National Legislature demand his presence in the legislative Chambers at Washington, making laws, as a Representative of the people, while the duties of a military officer demand his presence in other places at all times and that he engage himself in executing the laws of Congress under the command of the President.

It is true that the mere impossibility of the incumbent of
68 two offices being present at all times to perform the duties of each does not make them incompatible, but—

"Offices are said to be incompatible and inconsistent, so as not to be executed by the same person when from the multiplicity of business in them they can not be executed with care and ability, and when their being subordinate and interfering with each other it induces a presumption that they can not be executed with impartiality and honesty." (5 Bacon's Abridgement, Title Offices, K; Public Offices; Throop, sec. 33; People *v.* Green, 58 N. Y., 304–305, per Folger, C. J.)

Is it proper and public policy for the officers of the Army and Navy acting as legislators to appropriate the money for the support of these departments, expend it as they see fit under laws of their own making, while governed and restrained only by such limitations and restrictions as they see fit to place upon themselves?

If their power as legislators is suspended only while holding offices in the Army or Navy, they may first (and in anticipation of commissions) make obnoxious laws and then go into the military and naval service to execute them, leaving the people powerless, for while there is no possible quorum to do business there are no vacancies in either House, and hence a repeal of obnoxious laws or the enactment of new ones is made impossible. Even repentant and patriotic Representatives would be unable to return to the halls of legislation unless by the consent of the President without committing the crime of desertion and incurring the death penalty. Even the court of impeachment might be in the Army and Navy, unable to convene, and the whole Government would be in the hands of what might prove to be an ambitious and unscrupulous Executive.

It is no answer to say, what we all concede, that our present patriotic Executive is above suspicion. What is constitutional to-day will be so until the fundamental law is changed. We are building for the centuries and to avoid all probable, if not all possible, dangers. Our fathers had all these dangers in mind when the Constitution was framed.

In Indiana, State *v.* Allen (21 Ind., 516), the court went so far as to hold that an enlistment in the Army of the United States for three years or during the war was an abandonment and vacation of a civil office held under the State. (See also Willcock on Corp., 238. But see Bryan *v.* Cattell, 15 Iowa, 537.)

The question may be asked, What will be the situation if a person holding a commission in the Army of the United States is elected to Congress and, without resigning his office in the Army, presents himself as a Member of the House? In such case does he vacate the Army position? Assume that he refuses to resign either and claims to act in both positions. It will be time enough to cross that bridge when reached. It is clear, however, that in such case he is not entitled to his seat in Congress and should not be sworn in or allowed to act.

It follows that the seats of those Members of the House of Representatives in the Fifty-fifth Congress who entered the Army as officers, commissioned by the President, during the late war with Spain, and took the oath and acted as such, are vacant, and have been since they accepted their commissions in the Army. The only action necessary is to so declare by resolution, as matter of convenience and to aid the Speaker and others in discharging their public duties. No act or resolution of Congress can change the legal effect of their acts.

Our attention has been called to the case of Bryan *v.* Cattel (15 Iowa, 538) as sustaining the doctrine that a Member of Congress might hold a military appointment in the Army. But this case will
69 not sustain the doctrine. Bryan was appointed a captain in the Army, being at the time district attorney for the fifth judicial district of Iowa, for four years commencing with the 1st day of January, 1859. At that time there was no provision of law against holding two offices, but by chapter 54, laws of 1862, it provided as follows:

"The acceptance of a commission to any military office, either in the militia of this State or in the volunteer service of the United States, which requires the incumbent in the civil office to exercise his military duties out of the State for a period not less than 60 days."

This was enacted as a ground for the vacation of any civil office where the officer had entered the United States Army.

Capt. Bryan sued for his salary for the entire period covered by his election. The court denied that for such part of the time as came after the enactment just quoted. This clearly sustains the position that with the provisions of Article I, section 6, clause 2, United States Constitution, the office would have been declared vacant by the Iowa court. For the period prior to the enactment just quoted the court allowed the captain his salary as district attorney upon the ground that he might discharge the duties of district attorney and also the duties of captain. The language of the court is:

"It by no means necessarily follows that the person in the military service might not discharge all the substantial duties of the attorneyship. It is scarcely probable that he could or would, and yet he might."

Upon this line of thought, not at all sustained by the current authorities, they allowed Capt. Bryan to recover for that portion of his salary for the time heretofore stated. But the court laid down this doctrine in the same decision:

"If a party accepts another office which within the meaning of the law and the case is incompatible with that which he holds, we have no doubt but the first one would become vacant."

We can well understand how the very patriotic chief justice, Judge Wright, in the great patriotic State of Iowa, then throbbing with very generous impulses for the Government, would use the reasoning quoted in respect to the possibility of his discharging the duties of the two offices. But this case, taken as a whole, thoroughly sustains the position taken by the committee, and when we are confronted with the constitutional provisions it is absolutely certain that had such a case arisen as a Member of Congress holding a commission in the Army, Judge Wright and the Supreme Court of Iowa would have held, as Congress has ever held, that the offices were absolutely incompatible.

We have, then, in considering this matter, two kinds of incompatibility in respect to offices: First, where in the very nature of the two offices they are incompatible and can not be held by the same person at the same time. Clearly, for reasons above given and sustained by the authorities without reference to the Constitution, the office of Member of Congress and an officer in the Army of the United States are incompatible and can not be held at the same time. But while we have considered this view of the case fully it was not really necessary, for the constitutional provision in itself makes it absolutely impossible to hold these two offices at the same time.

The committee therefore recommend to the House the adoption of the following resolution:

"*Resolved*, That Joseph Wheeler, a Representative in the Fifty-fifth Congress of the United States from the Eighth district of the State of Alabama; Edward E. Robbins, a Representative in the Fifty-fifth Congress of the United States from the twenty-first district of the
70 State of Pennsylvania; David G. Colson, a Representative in the Fifty-fifth Congress of the United States from the eleventh district of Kentucky, and James R. Campbell, a Representative in the Fifty-fifth Congress of the United States from the twentieth district of the State of Illinois, by accepting commissions in the Army of the United States, and being mustered into such service after being sworn in as such Representatives, thereby vacated their seats as such Representatives and ceased to be Members of this House as of the dates they accepted such military offices, respectively, and are not now Members of the Fifty-fifth Congress of the United States.

I most respectfully dissent from the views of the committee as expressed in the resolution recommended to the House for adoption.

JOHN J. JENKINS.

[House Report 2205, part 2, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. De Armond, from the Committee on the Judiciary, submitted the following views:

In submitting some minority views there is no disposition to find fault with the majority. Upon the contrary, it is a pleasure to say that the report of the committee—to much of which cheerful approval is accorded—is able and learned, and a valuable contribution to the records of the American Congress.

The House saw fit to impose upon the committee a duty which was entered upon by the committee in the right spirit, and discharged in uprightness and with ability. That the report is not one in which all

can join heartily is a source of regret to the minority quite as great as any of the majority can feel. The fact that the search after the true light of the Constitution has been so harmoniously pursued by the committee encourages the minority to lay before the House some views not entertained by the committee, so far as the report shows, in the hope that possibly thereby the House may be more fully advised concerning the subject submitted to the committee for consideration and report.

The committee properly directs special attention to paragraph 2, section 6, article 1, of the Constitution, and with much care and learning seeks to construe, interpret, and apply that portion of the supreme law of the land to the facts ascertained and reported. The resolution, the adoption of which the committee recommends, is based upon what, in the judgment of the committee, is the imperative requirement of the Constitution. The committee has not found, and perhaps no one has discovered, actual danger to our institutions from the appointment to military office under the United States of any of the four Members of this House whose seats are declared to have been vacated by the acceptance of such appointments. As before stated, the recommendation of the committee is based upon the constitutional behest, as the committee understands it, without any predilection to fly to the rescue of an imperiled Constitution. The committee did not hunt for a breach into which it might throw itself, but faithfully and to the best of its ability performed the duty assigned it by the House.

2 Unconsciously, I think, the committee regarded the instruction of the House in the light of the antecedent understanding of the scope of the investigation and action originally proposed. In this view, it seems, special prominence has been given to the status of the Members of the House who were appointed to military office. However restrictive or comprehensive the resolutions under which the committee proceeded may have been by original intendment, the language employed in them is broad enough, as the committee determined, to cover the cases of other Members of the House who accepted places upon commissions created under legislation of the present Congress. At the same time it does not appear that the committee dwelt upon the evils which might result from giving Congressmen civil office, the creation of their own legislative acts, to anything like the same extent that it dwelt upon the bad results likely to flow from the disregard of the second branch of the paragraph of the Constitution above cited. It is not thought improbable that this difference in estimating the weight of these kindred parts of the provision under consideration is traceable in some degree to a preconceived notion, not embodied in the resolutions before the committee, but evidenced otherwise and earlier, that the case of the Army appointee is the one to be dealt with. But, however this may be, it is evident that the committee was much more impressed with the importance of holding rigorously to the strict letter of the Constitution as applicable to the military officer than as applicable to the appointee to a post made by the Congress of which the appointee was or is a member.

Again, the committee lay much stress upon the exact, technical meaning of the term "office," and apply that meaning to the word as employed in the above-mentioned provision of the Constitution. It is not disputed that the report deals learnedly and upon authority with "office," as contradistinguished from "employment." The question, however, remains whether "office," when used in the provision referred to, has the technical or the general meaning of the word. In considering this question the precise words of the Constitution may be set before us. They are:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time, and no person holding any office under the United States shall be a member of either House during his continuance in office."

What good is to be secured, what evils prevented, by the observance and enforcement of this portion of our Constitution? Evidently freedom for the legislative branch of the Government from undue Executive influence, no more surely than the prevention of the many wrongs that might arise by permitting legislators to make places for themselves to fill, regardless of the public welfare. Indeed, it is by no means clear that the first clause of the paragraph above quoted is less in value than the one which follows it. Which meaning of the term "office" gives the greater weight and efficacy to the constitutional safeguard? If "office" has the technical, precise, restricted meaning which the committee give it, then a Senator or Representative shall not "during the time for which he was elected, be appointed to any civil office under the United States, which shall have been created, or the emoluments whereof shall have been increased during such time," unless artful enough to create, or increase the emoluments of, a something lacking some of the elements of an "office," in the technical sense, though possessing all the substance and inducements calculated and designed to

3 make the "employment" most desirable. Is that what the Constitution makers meant? Did they intend to prohibit in terms what they encouraged in fact if accomplished by a legislative trick? Were they careful to put up the bars to prevent Senators and Representatives from providing for themselves and enjoying, at the expense of the public and the peril of free government, what they might make and enjoy, by due legislative regard for the important function of omitting something technically essential to constitute an "office," while providing for the same thing in substance?

Upon the other hand, if the term "office," as used by the fathers, has its general, popular meaning, and not its narrow, technical meaning, the prohibition is complete, and, if enforced, truly effective in accomplishing what we may believe it was intended to accomplish.

There is a broad and plain distinction between the appointment by one branch of Congress of certain ones of its members to serve upon a legislative committee or commission, and the appointment by the President of such members. The Canadian commission was created under a law of the present Congress, providing that its members should be appointed "by the President, by and with the advice and consent of the Senate." Thus are members of the Supreme Court, members of the Cabinet, ambassadors to the courts of foreign nations, and many other high officers of the Government appointed. It is the opinion of the committee, however, that Members of Congress, whether Senators or Representatives, were not appointed to "office" in being thus made members of the Canadian Commission, but at most were only "employed," with due regard to and without any breach of the constitutional provision already quoted. The nominations of these commissioners are now awaiting senatorial confirmation, having been made originally in vacation. Let it be noted that nothing in the legislation authorizing the appointment of the Canadian Commission suggested that Congressmen should be members of it. And how much membership upon this commission lacks of being an office, within the most technical meaning of the term, let the curious determine. At the same time let them note carefully the solemnity and decorum attendant upon the "employment" of persons by the President, "by and with the advice and consent of the Senate."

What has been said concerning the Canadian Commission applies to the Hawaiian Commission, with the suggestion that the legislation providing for the creation of the Hawaiian Commission, while it prescribes that the President shall appoint the five commissioners, "at least two of whom shall be residents of the Hawaiian Islands," does not require that the appointments shall be with the advice and consent of the Senate.

Mr. Robbins was appointed captain in the volunteers on or about the 21st of June of last year; was mustered into the service as such officer on the 1st day of the following July, and a week later Congress adjourned. In October (in the meantime having been promoted to major) he was discharged. He received no pay for his Army service, claiming his congressional salary instead. When Congress assembled last December he appeared in his seat, answered to the call of his name, and ever since has been acting as a Member of this House, voting upon the last roll call, or yea-and-nay vote, before the filing of the report of the committee, recommending the adoption of a resolution declaring that he and the others named in the resolution "vacated their seats as such Representatives and ceased to be Members of this House as of the dates they accepted such military offices, respectively,

4 and are not now Members of the Fifty-fifth Congress of the United States."

Now, as a matter of fact, Robbins is to-day, as he has been during all of the present session, a Member of this House, for he has appeared and served, and been permitted to serve, as such as fully and completely as any other Member of the body. It would thus appear that a Representative, when admitted to a seat in this body and duly qualified by taking the oath of office, actually remains a Member until the expiration of the term for which he was chosen, unless before the expiration of such term he goes out by death, resignation, or action of the House. Therefore, it is suggested that once admitted to membership as Representative, and not dying or resigning, and the term still continuing, one goes out of the House or remains in it pursuant to the action or nonaction of the House.

Most naturally, perhaps, the question of whether one is or ought to continue to be a Member of the House arises (in the absence of misconduct warranting or considered as warranting his expulsion) when another claimant appears and demands the seat. In the cases before us no adverse claimants appear. Upon the contrary, in the case of Gen. Wheeler, as we are advised, the governor of his State declined to regard his seat as vacated and to call a special election to fill it, though urged by some interest or influence to do so; and his constituents are content to have no other Representative, not only during this Congress, but also in the next.

It may not be out of the way to remark that probably the Congress will be measurably freed from Executive influence, not sanctioned by the Constitution, when Executive appointments to "office," as well as Executive "employments," reach congressional households less frequently. Assuredly, if membership upon "commissions" by presidential appointment and senatorial advice and consent are held to be prohibited by the Constitution, no public hardship will follow. What is there unreasonable in such understanding and application of that instrument?

The present would appear to be the time when full force ought to be given to the prohibition of the Constitution against the appointment of Congressmen to places which they have created, or which, in the absence of law, the President may make at will, with such powers as he may see fit to confer upon this or that commission, sent to this or that island, where he may choose to have it operate.

If it be urged that the Constitution is not in the way of presidential appointments of Congressmen to places upon commissions, whose duty it is to make investigations and report for the information of Congress, it should not be overlooked that too often those who are thus the especial marks of the President's confidence and favor will not unlikely, as a natural consequence of his preferment, become champions of his policies, after aiding in formulating them, and of his treaties, after making them for him, when otherwise their stand might be very different, indeed. It is perhaps quite as important that the legislator shall devote his energies and abilities to legislative business outside the domain of the Executive as that the Executive shall refrain from assuming the rôle of the legislator.

It is but just to say that in the presidential appointments of Congressmen falling under the consideration of the committee nothing has appeared, either in the motives of the Executive or in the conduct, character, or qualifications of the appointees, to provoke criticism;

5 and no criticism is offered as to individual cases, but only as to a practice, not new, but surely growing with dangerous rapidity.

In conclusion, it is submitted that clearly within the spirit and probably within the letter of the Constitution the President has not the right to appoint a Member of Congress to a place or office such as the members of the Canadian Commission hold, nor has a Member of Congress a right to accept such appointment. What has just been said about appointments to the Canadian Commission may be repeated concerning Hawaiian Commission appointments.

All that is said in the report of the committee about the dangers to be apprehended from a disregard of the provision of the Constitution governing the cases of the Representatives who were appointed to and accepted offices in the Army may be applied, with equal force, and out of greater necessity, in considering the associated provision of the same Constitution prohibiting certain appointments to civil office.

DAVID A. DE ARMOND.

[House Report 2205, part 3, Fifty-fifth Congress, third session.]

APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. PARKER, from the Committee on the Judiciary, by leave of the House, submits the following views in dissent from those of the majority committee as to House resolution No. 354:

On Wednesday, December 21, 1898, on a report from the Committee on Rules, without debate, the House adopted the following resolution:

"Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to ascertain and report to the House:

"First. Whether any Member of the House has accepted any office under the United States; and

"Second. Whether the acceptance of such office under the United States has vacated the seat of the Member accepting the same."

The resolution leaves to the committee no discretion. Usually resolutions are referred to a committee in order to determine whether they are in proper form, and whether as matter of governmental and na-

tional policy they ought to be reported and considered. In this case the resolution was passed by the House, without debate and without consideration. It is for the House, and not for the committee, to decide whether the question should be taken up, and whether in time of war, when the temporary services of Members of the House have been of value to the country in high military and diplomatic position, and when that temporary service has been performed, or is being performed without injury to the House, action should be taken in the nature of a forfeiture, branding patriotic service as inconsistent with legislative duty.

It may well be suggested that the constitutional provisions for the integrity of the legislature were intended only to enable the House to protect itself against Executive interference with its prerogatives and independence, and that when the reason for such action fails the House may well in its discretion pass the matter by in silence. The necessities of such a time as this know no law.

The sacred provisions of the Constitution, whether for the protection of the citizen or of the legislature, ought to be enforced as well as construed in a sensible, liberal, and practical way. High
2 policy is at the basis of all government. No technical spirit should prevail with reference to such provisions as the guaranty to every State in the Union of a republican form of government, nor as to the qualifications of electors voting for the President; nor have we yet thought it advisable or politic to attempt to diminish the basis of representation of the various States, whether in Massachusetts or South Carolina, because the right to vote is abridged, or because educational and other qualifications are enforced, so as to bring the case within the fourteenth amendment.

The House has always treated these questions of membership as largely within its discretion.

II. THE UNEXPECTED WIDE SCOPE OF THE INQUIRY.

The inquiry took a far wider range than was generally expected when the resolution passed the House. Question was made in the following cases:

A. Members who received commissions in the Volunteer Army. One of these resigned before the meeting of the House and is performing his duties honorably here. The others, though still serving their country as soldiers, may be discharged at any moment and be ready to return to their duties here, and meanwhile they are not attempting to exercise the privileges of Members nor invading the independence of this House, and there would be no time to fill their seats in this Congress if the House should in its discretion declare them vacant.

B. Members who have been appointed as commissioners plenipotentiary to adjust differences with Canada. It is noted that the principle as to this class may extend further and touch the right of Senators to have acted as commissioners with full power to negotiate and sign a treaty of peace with Spain.

C. A Member who, in the recess of the House, under the authority of a joint resolution and appointment of the President as commissioner, has investigated the condition of affairs in Hawaii and aided in the preparation of a code of laws for those islands.

D. Members who are serving on the Industrial Commission, appointed for two years, with provision that they shall continue as such and receive a salary after the expiration of their present terms.

E. Members of the so-called postal commission who investigated postal conditions in recess and have reported to the House.

F. Members who under various statutes are intrusted with the government of various institutions under the authority of the United States. For example, section 5580, Revised Statutes, as to the Smithsonian Institution, provides that "the business of the Institution shall be conducted by a Board of Regents, to be composed of * * * three Members of the House of Representatives" and others.

NOTE.—This principle may likewise govern the question what persons can be elector for President. Article II, section 1, paragraph 2: "No * * * person holding an office of trust or profit under the United States shall be appointed an elector."

III. WHAT IS MEANT BY AN OFFICE.

By the views of the majority, and while enforcing a rule as to the effect of holding office that is much stricter than the words of the Constitution, the whole constitutional rule is largely nullified by the declaration that the highest advisory and diplomatic positions
3 shall not be considered offices, because especial, and created for special great emergencies.

The clause of the Constitution is as follows:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office." (Art. I, sec. 6, par. 2.)

Several questions arise, viz:

What is an office under the authority of the United States, or an office held under the United States, what is the legal result of holding such office, and what discretion has the House in the enforcement of such legal result?

It is unnecessary to take much time with offices which do not come within the spirit of the constitutional provision. Directors and trustees of charitable or scientific institutions may be technically "officers under the authority of the United States," but so long as there is no compensation attached to their office, they are practically and for common good sense only ministers of science or public charity. If it were the question of a governmental directorship of a vast incorporated commercial system, say of railroads and canals, public policy might require a different conclusion. No technical rule can apply. The Post Office and Industrial Commissions are really committees of the House. They are joint committees, it may be, with Senators and others, but appointed by the Speaker of the House to investigate and recommend legislation. As to the Industrial Commission, if any part of the law of the present Congress gives congressional members of that commission the powers of any civil office, that part of the law is unconstitutional and the appointment is void, while the membership remains. Mr. Gardner states this point well on page 37.

As to diplomatic commissions, their dignity and their powers are so great that it is only fair to say that the suggestion that they are not offices under the United States is certainly not a settled question. But in theory and in practice it is not needful to determine this question now. Whether these positions be offices or not, we can agree that no member holds office or is an officer of the United States under these statutes, for the commissions were all created during this Congress; and even if offices were created, the Members of this House can not be appointed to hold such office, and in law are therefore only unofficial aids to the Executive and to these various commissions.

Practically, as well as theoretically, it is the same. If service with these commissions had taken Members from their duties here during the session, the House might hold this work inconsistent with membership. But the work was done in recess, principally, and was such as any patriotic citizen could perform and did not in any way interfere with work as Representatives.

If the commissioners had large emoluments, as plenipotentiaries and special envoys, this fact might be considered inconsistent with the independence of the House and the integrity of its legislation, and the House might take action as for breach of privilege or the question might be raised by the Treasury as to their right to such emolument.

But there are no such emoluments of any kind. The question is absolutely unpractical and purely academic. It is not theoretically or practically before this House for discussion or decision.

The majority report is therefore entirely correct (pp. 53, 54) that the persons appointed or designated as commissioners under these
4 various statutes are not officers, nor is either of them an officer, under the United States within the meaning of the Constitution. They could not be such. If these be officers, it is their tenure of the office that is void, and not their membership.

It is therefore unnecessary now to decide that the place of special envoy, no matter how great the authority, dignity, and emolument attached thereto, is not an office. Ambassadors were at first only sent as special envoys and not permanently. They represent the sovereign, whether monarch or republic, more than any other office under the Chief Executive, and such a decision would trench on dangerous ground.

It is only to be added that if offices which are temporary in their character are not within the constitutional prohibition, the same reasoning might apply to the emergency military officers. Gen. Wheeler takes this point on pages 32 and 33, citing a decision of Attorney General Griggs, as follows:

"The Attorney General of the United States has, in effect, decided this question. In a matter in which the principle is the same, he says:

"'While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency, and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for his profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence, and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office.'"

The Attorney General's view is consistent that neither these diplomatic nor emergency volunteer offices are so permanent as to vacate other offices.

IV. THE CONSTITUTION CODIFIES AND INCLUDES THE WHOLE LAW ON THIS SUBJECT SO FAR AS MEMBERS OF CONGRESS ARE CONCERNED.

The doctrine of incompatibility of offices has no place here. That doctrine is rather rashly laid down in certain textbooks, but it will be found that the cases are always to be discriminated from this.

In some cases the Constitution had ordered the legislative, judicial, and executive branches to be kept strictly separate; therefore, the offices were held incompatible. In other cases the offices were plainly incompatible. No one person could be President and Vice President at the same time, or judge and suitor, or judge and marshal. These are plain cases.

No such incompatibility between legislative, executive, and judicial offices generally exists by the common law outside of the constitutional provision. History disproves it.

On April 16, 1794, John Jay, Chief Justice of the United States, was nominated by George Washington as envoy extraordinary to His Britannic Majesty. His nomination was sent to the Senate and confirmed April 19, after acrimonious debate, a principal objection being that he was Chief Justice. (See Pellew's Life of Jay, p. 298.) He continued in the office of Chief Justice and therefore refused all compensation for his services except expenses. (Pellew's Life, p.
5 314.) The State papers (Foreign Relations, vol. 1, p. 470, etc.) show his commission and instruments granting various powers, together with a letter of credence to the King certifying the nomination of John Jay, Chief Justice, as envoy extraordinary. In the next year, May 28, he reached New York, and on June 8 the treaty was presented to the Senate. Before landing, May 20, 1795, he had been elected governor of New York, and on June 29 he resigned his place as Chief Justice and took his place as governor July 1.

Will it be insisted that an envoy extraordinary is not a diplomatic officer? It can hardly be suggested that a Secretary of State is not. John Marshall was Secretary of State for John Adams, and while such was nominated and confirmed as Chief Justice. He was sworn in and took his seat February 4, 1801. Nevertheless, at the President's request he remained as Secretary of State till Jefferson was sworn in March 4, 1801, and at his request continued as such Secretary one day longer, until March 5, 1801.

Without a constitutional provision, the doctrine that legislative, executive, and judicial offices are incompatible by common law is absolutely unsupported by authority.

It is well known that officers of the Crown always sat and now sit in Parliament. This practice was unlimited until the statute of Anne. That statute declared that such appointment should forfeit the membership, but allowed reelection. Story, in his work on the Constitution, sections 868 to 872, says that legislative and executive offices are not in principle incompatible, and obviously favors the measure, so strongly urged of late, that the chief Secretaries should be members of the Legislature, so that information as to the Government may be called for in the House. He by no means considers the constitutional prohibition sacred in point of policy or principle. Ministerial responsibility in the Houses limits instead of increasing executive power.

V. THE EFFECT OF APPOINTMENT TO OFFICE PROHIBITED BY THE CONSTITUTION.

The effect of attempted appointment of a Member to a civil office created during the time for which he was elected has been sufficiently discussed.

The appointment is void. The Member can be held merely to be an unofficial helper or volunteer aid. If he accept emolument, or desert his legislative duties, or there be other just cause to deem his action a breach of the Constitution and the independence of either House, that House can take proper measure to protect itself. No such cause ap-

pears here, nor is any such question referred to the committee. We can only report that if these diplomatic functions are, in law, offices created by this Congress, they are not held by any Member hereof. The most jealous regard for the privileges of this House need go no further. And under the specific inquiry referred to us we can go no further.

VI. THE EFFECT OF "HOLDING OFFICE UNDER THE UNITED STATES" ON MEMBERSHIP.

The question should be a practical one in each case.

Here it is confined to temporary military service under an emergency call.

The question may hereafter arise as to civil officers. It is easy to suppose that a Secretary of a great department were elected Senator and that he should feel it necessary to the Government to delay
6 taking his seat until his successor as Secretary should be appointed, just as Marshall remained Secretary of State for a month after he was Chief Justice; or an emergency may be imagined in which the death of a great governmental officer should make it necessary to call in the aid of a Member experienced in the work to act ad interim. Cases of public need, like those which created these commissions, might be multiplied.

The majority hold that acceptance of an officer for ever so short a time involves forfeiture of membership forever. This should not be. Neither the Constitution nor policy demand it. Attorney General Griggs does not hold it, but the contrary.

Acceptance of a permanent office may be held, and should probably be held, by the House to vacate the membership permanently. Acceptance for an emergency, whether military or civil, of a temporary office may, and in case of public necessity should, be held by the House at most to create only a temporary vacation of the seat; that is, a suspension of membership during the emergency.

The whole question is for the House. No self-acting abrogation of membership has ever come to pass. No Member has ever lost his right to his place until the House has acted. Gen. Wheeler, by his brief (Rep. p. 31), truly says: "Congress, by its practice for 100 years, has assumed the clause in the Constitution as directory and not mandatory."

The Constitution in this regard is a means by which the House may protect itself, but only if it see the need of protection.

There is no doubt that under the Constitution no person holding any office under the United States shall be a Member of the House during his continuance in such office. But the question does arise whether in cases of temporary calls to public duty the vacancy in the seat may not be merely temporary. A vacancy of this sort is not the same as forfeiture of the office. There is certainly question whether a Member who goes to serve his country, perhaps on emergency call for a few days, thereby forfeits his membership forever, or whether membership is merely suspended, unless such forfeiture of office be made by some action of the House or of the Member's State or constituency, and in their discretion whether such action ought to be taken is to be decided in each case. It is unquestionable that the Member can not exercise the legislative and military offices at the same time or be paid for both.

None of our brothers who went into the Volunteer Army have drawn double salary during their continuance in Voluntary Army office. One has now returned to the duties of this House. He served only during part of the recess of Congress, and resigned as an Army officer before this session. Others, though still in volunteer service, may be discharged on any day. The question is an actual one, whether by reason of such military service, no matter how brief, these Members ipso facto, and without action of the House or the constituency, have forfeited all right to return here as Members when their military duties have ceased and they no longer continue in such military office. The Constitution does not say so.

This construction would go far beyond the provision of the Constitution that they shall not be Members during the continuance of such office, and would say that they shall forfeit membership altogether and forever.

Plainly the framers of the Constitution chose their words carefully. They contemplated that their members might be called to newly
7 created military duties, and that such duties and the office so created might have a short continuance, and they changed the English statutes, with which they were familiar, so as to cover that case.

They certainly had in contemplation the possibility of being called to arms.

In order to understand the meaning of the provision of the Constitution, section 6 of Article I, we must put ourselves in the place of these members of the constitutional convention. A large number of them had been officers of the Continental Army. They knew that a great part of the First Congress of the United States had gone from that Congress into that Army; they recognized the duty of the citizen so to do.

The fact that the commander in chief during the Revolution had been taken from the Continental Congress was frequently urged in the debates in the convention.

When, therefore, they provided against the appointment of a Congressman to an office that had been created or made more lucrative during his term, they limited the prohibition to civil offices, and left Congressmen free as to military offices, no matter when created, expressly recognizing that they might be appointed or called to military office and that the needs of the country might so require. The provision is as follows:

Article I, section 6, paragraph 2: "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

This prohibition by the first clause as to appointments to new offices is only as to civil offices, and expressly excepts new military offices as well as any call to military service and special appointments in time of emergency. The framers of that clause contemplated such appointments, and it only remains to consider the second clause and what effect they meant such appointment to have on the membership.

Obviously they did not mean it to forfeit the membership ipso facto, for they refused to follow the English law ordering such forfeiture, and made an entirely different provision based on the duration of the office, "his continuance in office."

It was an intensely practical question to each of them. They lived in a line of colonies along a narrow strip of seacoast, bordered immediately on the west and south by wild and often hostile Indians under French, English, and Spanish patronage. They were subject hourly to the danger of calls to defend their homes, on emergencies that might last only for a few days or might be for long service. They had before them the English statute of Queen Anne, declaring that if any member of Parliament accepted any office of profit under the Crown his seat should be thereby forfeited, and that a writ of election should immediately issue to fill the vacancy.

The statute in question is part of the act of settlement.

ACT OF SETTLEMENT.

[Anno Sexto Anne, C. 7.]

"XXVI. *Provided always*, That if any person, being chosen a member of the House of Commons, shall accept of any office of profit from the Crown during such time as he shall continue a member, his
8 election shall be, and is hereby, declared to be void, and a new writ shall issue for a new election as if such person so accepting was naturally dead: *Provided, nevertheless*, That such person shall be capable of being again elected, as if his place had not become void as aforesaid.

"XXXVIII. *Provided also*, That nothing herein contained shall extend or be construed to extend to any member of the House of Commons being an officer in Her Majesty's navy or army, who shall receive any new or other command in the navy or army, respectively."

This statute has always been construed in a practical way.

"The act of settlement is part of the fundamental law of the land, regarded with utmost reverence, but we find that the House of Commons dealt with all provisions as to its members in a practical way. For instance, by the Fifth William and Mary, chapter 7, section 57, no member can be concerned in farming taxes, but in various cases it was held that where a commissioner of stamps was elected to Parliament and ceased to be such officer before actually taking his seat, although after his election, he retained the seat. (See Hatsell's Precedents and Proceedings in the House of Commons, Vol. II, p. 43, par. 4; p. 44, par. 7.)

"So under the Statute of Anne a member who accepted the reversion of the Garter King of Arms retains his seat, and when the reversion fell in by death the matter was again brought up, but dropped (p. 44, par. 10). So, too, where Mr. Webb was appointed governor of the Isle of Wight before election and accepted afterwards, he continued his seat (p. 45, par. 11).

"Where a decision had been found unpractical, Parliament had no hesitation in reversing its action, especially in cases where officers of the army and navy were given high posts which were both civil and military, the later decisions being that they should retain their seats. So as to a naval officer made master of Greenwich Hospital (p. 46, par. 16). So as to an army officer made master of Chelsea Hospital (p. 48, par. 18). So as to army officers who were made governors of cities and forts, the rule being settled by resolution of 1733, after various precedents the other way (p. 48, par. 19). So as to an officer of the army accepting the office of general of ordnance (p. 52, par. 31).

"Hatsell's Precedents and Proceedings, Volume II, from pages 43 to 72, contains quite a discussion of this subject."

This statute is justly regarded as a part of the English constitution. But the framers of our Constitution refused to follow it or to declare that acceptance of office should ipso facto forfeit the seat. They left the question whether the vacancy in the membership was to be temporary or permanent and whether it was to be by way of suspension or to result in a forfeiture—all this they left to the exigencies of each particular case and to the decision of the House.

It is idle to say that membership can not be suspended and must be forfeited. This House can either suspend or expel a Member in its discretion, and what the House can do the Constitution can do, or can leave to the decision of the House in each case.

It is interesting to notice that other English statutes, which are followed in some State constitutions, rendered the holders of certain offices incapable of election to Parliament (see I Blackstone Commentaries, pp. 175–176). Our Constitution has no such provision. It leaves such an official free to resign after election and to take his seat. Our Constitution thus refused to follow English precedents. It refused to declare that the patriotic performance of military duty should forfeit membership altogether or that the holding of any office should bar a man from being elected to Congress by his fellow citizens.

The provisions of the Constitution are not to be enlarged. They did not prevent Chief Justice Jay from being sent to Europe as a special envoy. When the Constitution simply provided that the same functions should not be exercised at the same time, and that no person holding office should be a Member of either House during his continuance in such office, it did not declare that the holding of such office should thereby and ipso facto forfeit the seat forever. It
9 recognized this to be a practical question, which the House itself must determine in each particular case in its discretion and in a practical way.

In No. 51 of the Federalist (a number ascribed to Hamilton or Madison) the Constitution is paraphrased—

"A Representative * * * during the time of his service must be in no office under the United States."

That is, while he is actually serving. He shall not serve as Member—be an active Member—during his continuance in office. In no other way can the words "during his continuance in office" be given any effect.

This question is not to be confined to the cases now in hand. There are many others in which it may arise, and we must deal with each by the rules of common sense. For instance, we would all say that if a Member of the House accepts a place in the Regular Army, which is a life appointment, the House should certainly declare his seat vacant and order a new election, because he has declared an intention permanently to incapacitate himself as a Member. This principle applies and was enforced as to a Member who accepted a commission in the Militia of the District of Columbia, because he held a permanent office under the direct and continuing command of the President. Whether this decision would now be made if the question were new is somewhat doubtful.

An entirely different result is arrived at as to the State militia. It is true that the State militia is organized under the Constitution of the United States, and that its officers, though appointed by the States, "hold office under the United States" and are subject to the direct call of the President (see the militia law, Rev. Stat., sec. 1642). But until such call is made they are under the training of the State, and it has never been pretended that a Member could not be an officer of the State militia, because, until such call, he is not "called into the service of the United States" (to follow the words of the Constitution, see Art. I, sec. 8, paragraphs 15 and 16, and Art. II, sec. 2, paragraph 1), and is not for practical purposes holding active office. Yet if he should be called out by the President, even to put down a riot, he

certainly becomes for the time an officer of the United States, and so long as he is in the service of the United States he can not exercise the functions of a Member of Congress. But who would say as a practical matter that under those circumstances it would be good sense for the House to declare the seat forfeited, so that he could not return there after the riot was put down? His membership would only be suspended. But by the reasoning of the majority report it would be gone forever.

The examples are not exclusively military. If a Member of the House be admitted to practice at the bar of the United States Supreme Court, he becomes thereby and beyond question an officer of that court of the United States and holds office under the United States; but common sense says that this is an office not to be exercised continuously, but from time to time when he appears in court, and is not such as was contemplated by the constitutional prohibition.

"The cases as to an attorney are various. In re Attorneys (20 Johnson, 492) it was held they were not State officers, but had exclusive privilege, like licensed physicians, and therefore took a special attorney's oath and not merely official oath of the new constitution.

"In re Garland (6 Wallace, 378) the court held that a law requiring the iron-clad oath was a bill of attainder, and that attorneys were officers of the court and not of the United States. Justice Miller and three others dissented strongly. But if officers of a United States court, are they not under the United States?

"In re Garland (6 Wallace, 378) the court held that a law requiring is at least very near to an officer with an oath of office, and that a woman can not be licensed as the law then stood for reasons based on cases as to officers."

So if a Member be a Supreme Court commissioner or notary, common sense says, "De minimis non curat lex," and just as such officers have been allowed to act as electors under a precisely similar provision, no suggestion has been made that they are not likewise Representatives at least until the House, in its discretion, shall take action thereon. (See Art. II, sec. 1.)

In brief, this provision was intended to be a practical provision. There may be doubt whether temporary volunteer office under a special emergency statute was intended to be within its prohibition at all. The section itself recognizes that military offices may be created during the term of the Member of the House, and that a Member can be appointed to such office, and so long as such person holds such an office and is under the direction of the President as Commander in Chief his membership is suspended and he is not and can not be a Member of the House; but in view of the fact that such appointment may be only temporary, to execute the laws of the Union, or to put down a riot, or, in this case, till the end of a war, it may create a mere suspension of membership unless action be taken to forfeit it.

The question is, therefore, one of what the House, in its discretion, shall resolve to do and not of any self-executing law.

If the Constitution executed itself, the Member's name would be dropped from the rolls by the Clerk, without action by the House. In the words of the English statute, it would be as if he "was naturally dead." Not so here. The House has always exercised its discretion over the whole subject.

It was always the House's action that declared the seat vacant. It it not vacant ipso facto, and the House often refused to act.

This is true in all the precedents.

"In the Van Ness case (Majority Report, p. 57) Van Ness accepted a permanent commission under the President, and the House construed this as a resignation and forfeited his seat.

"Col. Yell (Majority Report, pp. 57 and 33, 34) was commissioned in July, 1846. A successor was elected by his State, and claimed his seat February 8, 1847. The House refused to take the matter up, and adjourned without final action. Yell was killed.

"Col. Baker, who had been away from his seat in the Mexican War, was welcomed back at this same Congress, and sat, the House refusing, on March 3, to take the matter up. (Majority Report, Wheeler's argument, p. 34.) This is the Robbins case exactly, except stronger, for Baker was absent part of two sessions.

"In Byington v. Van Dever, Thirty-seventh Congress (Majority Report, pp. 57, 58), Van Dever took his seat in 1861, was then commissioned colonel, and a resolution against him was reconsidered and never acted on. He sat in Congress during the controversy, at least part of the time.

"In the case of Gen. Schenck (Majority Report, pp. 35, 64, 65, and 66) it was held that, having resigned as brigadier general on November 13, 1863, he could take his seat in December, 1863, although his resignation was more than questionable, and his term began March 4, 1863.

"In the case of Gen. F. P. Blair (same report, pp. 64, 65, and 66) a resolution was submitted by the committee that he had forfeited his seat by not resigning till January 1, 1863, but he remained in that and the following Congress till April 23, 1864, and went back to the war, the resignation having never been accepted, and recalled at his request. Naturally, in June 1864, the House passed a resolution that his seat was vacant, in order to allow a new election and so that it might be occupied at the short session.

"In the Herrick case a United States officer elected to Congress resigned just before the session, and it was held that he could take his seat."

In every case the House has reserved its discretionary power over the subject, either to declare the membership forfeited and order a new election or to leave things as they are.

The action of the House makes the precedent, not the reports of committees.

No good end would now be subserved by declaring memberships forfeited and ordering new elections. A new Congress comes in on the 4th of March. Certainly no practical advantage could now be gained by acting upon the case of the Member who was an officer during the recess and declaring his seat vacant. He is no longer such officer and is able to perform his duty here.

Under the circumstances the question is so purely academic and so devoid of practical good results that the House may well refuse to consider it and to lay down general principles which may come back to plague them in other cases; but under the resolution adopted the Judiciary Committee have no option but to report.

If any action is to be taken, the passage of the following resolutions is recommended as a substitute for those referred to said committee:

"Resolved, That such Members of this House as have been employed as officers in the Volunteer Army of the United States were suspended from membership during such employment, and that they shall not be Members of this House or exercise the functions of such membership during the continuance of said offices, respectively.

"Resolved, That in the case where such office has already ceased before the present session there is no ground for action by this House or for interference with the performance of his duties therein by the Member.

"Resolved, That in view of the likelihood that the other said offices may cease at any time, and the impossibility of holding any election during the present Congress, it is not expedient to take action on the case of those whose membership is still suspended by the holding of such offices."

Respectfully submitted.

RICHARD WAYNE PARKER.

Democracy and the Initiative and Referendum.

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, the subject of democracy and its extension throughout the world has been discussed very frequently during recent months. I therefore, pursuant to leave granted, extend in the RECORD the following remarks made by me on another occasion and at another place:

The task of enabling everybody to enjoy as much freedom as possible without interfering with the rights of others—that is to say, the problem of government—is one which has long been with us, in fact, ever since there has been any attempt at government. Many plans have been tried, and practically all have failed.

Yet, after all, any form of government will be found in its final analysis to be based upon one of two principles—either upon theory that those enacting and administering the law should do so without restraint by the governed, or upon the opposite principle that government derives its just powers from the consent of the governed.

Publicly, at least, we in this country are believers in self-government, for whenever we find a fellow who has no patience with self-government he soon abandons us to our fate and, Astorlike, moves to Europe to hunt a job in the governing business.

After much deliberation the founders of the American Commonwealth declared that self-government was the principle upon which it should be and is founded. Accordingly, this Government has long been referred to as the final test of the principle of self-government, and the supporters of autocratic government are already loudly proclaiming that it is conclusive proof of its failure.

However, whatever be the cause, one thing is certain: This Government has not fulfilled the hopes of its founders. Different reasons have been given for the failure, but the fact is that we do not have genuine rule of the people, we have not real self-government.

Nevertheless, instead of agreeing with those who say "Destroy the semblance of self-government we now have; return to monarchy and oligarchy," we say "Give us more democracy, more rule of people instead of less."

Lawmaking by the unrestricted will of delegates or representatives is not self-government. Laws framed by such bodies may indeed sometimes be identical with the will of the people, but not because it is their will. It is only so because the will of the people happens to be the same as that of the legislative body. The people rejoice, indeed, when they find their will takes the form of law, but, on the other hand, they must also supinely submit to those alleged laws which are enacted absolutely contrary to the will of the majority; in other words, without their consent. Government that is thus administered is not self-government, but government by an elective oligarchy, if, indeed, we can call it elective, and therefore contrary to the intentions of those who founded this Government.

Such a method of lawmaking can not in the nature of things be otherwise than contrary to the best interests of the people, for the reason that it is only human nature to serve one's own interests before all others, and men intrusted with final authority in the matter of lawmaking are no exception to the rule. Naturally, self-advancement is foremost in the mind of the person intrusted with legislative power. This being true, the delegate or representative is generally inclined to legislate in favor of those who in turn can and will promote his interests. Inducements are constantly presented to shape his conduct on important measures. Of course, the reward conferred upon the legislator does not always, although often, consist of money,

That which is offered to influence their action upon pending measures may be money, political advancement, social position, the assistance of a friend, and so forth, according to the weakness and necessity of the person receiving the reward.

Few there are who are not influenced by one or other of these considerations, and yet often the legislators nobly resist all such temptations, but are then subjected to other species of torture.

Those seeking special advantage by the passage or defeat of a measure resort, if possible, to threats of blackmail. They have investigated the life of the lawmaker in every detail and have examined his conduct with microscopic care. If they have found some misstep which has not generally become known, or has long since been forgotten, the unfortunate man's honor and good name are threatened with destruction. If he have one who is dear to him and whose welfare he guards almost as his own life, he is warned that such person will suffer if there be found in such one's life the slightest irregularity upon which to base disagreeable publicity and scandal.

Another common method of coercion is to depreciate or threaten the value of the legislator's property; for example, his stocks, if he have any. But why multiply examples; the means of exerting pressure upon the lawmaker are various and drastic, and few there are who can finally escape from the clutches of the vulture. What, then, may we expect to be the nature of important legislation under our present system? Certainly it would generally be responsive to the influences of which we have spoken. This means that those who have wealth and influence can and will mold legislation to their own special advantage; in other words, that important laws will be passed or defeated in order to procure or preserve special privilege. This is true beyond doubt, or the statement that "self-preservation is the first law of nature" is a fallacy or a lie. No one, unless it be "Divine Providence Baer," of anthracite-coal fame, will have the temerity to claim that, but in order to show that we are not talking about mere possibilities, and also that selfishness is still an element of human nature, let us consider a few instances in point.

Not many years ago the Broadway Railway Co. of New York found it a fruitful investment to pay aldermen the sum of $20,000 a piece for the Broadway franchise steal, the total cost of the bribery and lobby expenses being about $500,000, and the company could have afforded to pay many times that amount if it had been necessary in order to procure the franchise.

We go over to Philadelphia and we find that the councils of that city refused to submit to the vote of the people the question of leasing the city's gas works, worth $30,000,000, to the United Gas Co., although an unofficial referendum showed that the voters were 80 to 1 against the lease. The deal was so outrageous that Wayne McVeagh's comment was "Bribed by the rich to rob the poor."

In the same city, when the Reading Railroad Co. was seeking special terminal advantages in Philadelphia, the company put $5,000 at the disposal of each member of the council, and a noted "boss," who was a member, said that there were only three members of that council who did not accept the money, and he was not one of them.

Prof. Bemis tells of a corporation voting $100,000 to buy the Chicago council as nonchalantly as if it were buying a new barn, and says that this is an ordinary thing.

Most of us remember the malodorous Rodgers Street Railway franchise bill passed by the Ohio Assembly some 15 years ago, giving the city councils the power to sell the people's streets for a period of 50 years. The city of Cincinnati, as a result, pays a very high rate of fare for an abominable street railway service. Then there was the famous attempted steal of a railway franchise in Cleveland, which was frustrated when angry citizens marched to the council chamber and in eloquent and earnest language portrayed the possible scene of councilmen dangling from telephone poles, and so dampened the ardor of the council for the proposed franchise that they failed to pass it. And so we might continue with examples if further illustration were necessary.

So we see that the legislator, both the one who is crooked and the one who honestly endeavors to serve the best interests of the people, is constantly confronted by temptation in various forms; if this does not overcome him he is met with threats and blackmail, and if neither of these are attempted he must then spend time in dissecting fallacious arguments and resisting urgent appeals. No one who has not had experience as a legislator can fully understand how great an annoyance and hindrance all this becomes.

Another objection to the unrestrained power of representatives to make laws is that the legislator naturally looks at things from his own particular surroundings and position in life, and is therefore inclined to act as if people in general were situated like himself. For example, the banker looks at things through banker's glasses; the merchant thinks everyone in pretty much the same condition as himself; so with the professional man, farmer, and others. This has a tendency, therefore, to cause such representative to legislate favorably to his own class.

But an evil which is more common still is the practice among legislators of trading votes, or log rolling, as it is generally called. Thus a member will procure the vote and support of his fellows for a measure in which he is vitally interested, perhaps because he thinks it to the advantage of his own constituents and therefore to his own political advantage. He in turn agrees to support the measures of those who at his solicitation support his. The result is that the majority of laws are enacted for the purpose of favoring some locality, but of necessity apply to the whole State, so that we have laws forced upon cities which are only needed in the country and laws thrust upon the farmer which only the city requires, and many which are not generally useful to either.

Now, we who believe in direct legislation claim that the initiative and referendum would remedy practically all of these evils. We do not deny, but, on the other hand, insist that the whole people are selfish and would endeavor to act in their own interest just as the legislator is selfish and tries to promote his own welfare. But, on the other hand, the selfish interest of the whole would naturally procure legislation desired by the whole people or a great majority of them.

In the first place, legislation would not be adopted by trading of votes or logrolling, as in legislative assemblies. When the electors of the whole State would go to the polls to vote upon a certain measure submitted to them for their consideration, each would vote in such a way as he thought would be better for his own interest, and accordingly we would get at least a majority satisfied with the approval or disapproval of the measure under consideration. This is, as we have shown, practically impossible in the legislative assembly, for a great many members are always willing to support the measure that is not desired by their constituents in order to get the support of other members for a measure he desires passed.

Then, again, the use of money would practically avail those desiring the success or failure of a measure in no way, because the temptation could not be concentrated against a few men, as is the case with the legislative body, and it would be an impossibility to bribe the whole electorate. For this reason the greatest evil we have, namely, legislation for a special class of interest, would be practically an impossibility.

"But," say the opponents of this plan, "you are destroying our representative system." On the contrary, we insist that the initiative and referendum would purify and strengthen our representative system, for it would be useless to bribe the representative or councilman, for the simple reason that if they did so the person so bribed could not deliver the goods he had been paid for, because the people, if dissatisfied with the passage of a measure would simply file their objection in the form of a petition, demanding the submission of the measure to the vote of the people; and if the legislation should be rejected by the people the briber would have paid his money for nothing. This being true, of course, members of the legislative assemblies would be let alone, and could, as most would do if not interfered with, follow their best ideal as to matters of government.

Then it would be a short time until the legislative body would be under no suspicion, and it would become an honor for any man to serve therein. Thus men of character and ability would gladly strive for election to office, and for the same reason men of low type that seek office for illicit gain would neither care to strive for office nor be elected if they did desire.

When this system has become thoroughly established representatives will then perform their proper function, the one function which is consistent with truly representative government, and that is to act as experts and to give expert advice, but not to dictate the policy of the government. And this is right, for can we imagine any person going to a lawyer or a doctor and permitting him to do anything further than recommend what should be done? The professional man realizes that it is his duty only to advise, but that it is the patron's right to say whether he will pursue the course outlined by his adviser.

Another advantage which will be derived from the system of direct legislation is that men will have greater respect for the law. This is true for several reasons. People always have more pride in that in which they have had a hand in creating. Men are always inclined to bow to the law of a real majority if for no other reason than the fact they feel that public sentiment is against them, and, as the whole people decide what the law shall be, none suspects undue influence as he does in the case of a legislative body.

Then, again, having discussed and heard the reasons for the enactment of a law by direct vote of the people, they thus understand the justice of it, or what seems just to the majority, and are accordingly inclined to respect it, while the great majority know nothing of the reasons for a law enacted by a legislative body.

It would also be the strongest bulwark against anarchy and appeal to passion for the reason that the knowledge on the part of each that the great majority of his neighbors had made the law would be a moral influence which would overcome such inclination as he might have to lawlessness.

Another advantage gained by the system of direct legislation would be that it would adjust law to public opinion, and this is an essential element to all vital law, for, after all, that which has no public opinion behind it has little force as a law.

We would also make a decided gain for good government in that the ignorant or indifferent voter would be automatically disfranchised, as would also be the bigoted partisan, because such men are interested in political matters only when there are jobs and spoils at stake, and would, accordingly, take no interest in an election upon a measure. Bitter partisanship would be destroyed, for, regardless of the person who might be elected to office, the people themselves would always retain the right to legislate, and so public officials of necessity would be honest, and, because of the removal of temptation, would stay honest. If particularly capable, the man of one party could be kept in office on account of his efficiency regardless of his partisan policy, because the people could dictate their own policy and let him do as was intended—administer the details of his office. Thus a good man once in office would be enabled to become an expert, and continue to hold the office, because the people would not be compelled to turn him out of office in order to adopt a policy different from that in which he believed.

But, best of all, direct legislation would develop civic conscience and intelligent participation in public affairs, because nothing develops skill so much as practice, and the constant participation in and discussion of proposed measures would develop political interest and sagacity in the whole people. Men thus coming to understand the problems of government would, in their enlightenment and confidence in political matters, demand and make the Government more responsive to the public needs.

Many people object to the initiative and referendum on the ground that the people do not know enough to make their laws, but certainly they could not make many more blunders than the average legislative body. At any rate, the people could understand a law which has been submitted to them in terms as well as they could understand and decide upon the question whether or not the man whom they choose to represent them is sufficiently wise, informed, and honest. In other words, they could understand a complicated law which is written out for them better than they could understand a complicated man. Surely it is not to be claimed that the average citizen is expert only in the art of choosing officials.

But, fortunately, we have the most respectable authority in favor of our proposition.

Thomas Jefferson, Notes on the State of Virginia, page 195:

The concentrating these in the same hands is precisely the definition of despotic government. It will be no alleviation that these powers will be exercised by a plurality of hands and not by a single one. One hundred and seventy-three despots would surely be as oppressive as one. Let those who doubt it turn their eyes on the Republic of Venice. As little will it avail us that they are chosen by ourselves. An elective despotism was not the Government we fought for.

Thomas Jefferson said:

Believing, as I do, that the mass of citizens is the safest depository of their rights, and especially that evils flowing from the duperies of the people are less injurious than those from the egotism of their agents, I am a friend to that composition of government which has in it the most of this ingredient. An elective despotism was not the Government we fought for.

Abraham Lincoln said:

A government of the people, by the people, and for the people.
According to our ancient faith, the just powers of government are derived from the consent of the governed.

The Kansas City Star of October 2, 1910, has a translation of stenographic notes by A. H. McCormick of a conversation by Lincoln with a general, as follows:

General, the day will come, but it will not be in your day or mine, when every State in this Union will have the initiative and referendum. When that day comes the people will rule; the people will rule.

James Russell Lowell says:

Democracy gives every man the right to be his own tyrant.

Emerson says:

Law is a memorandum of public sentiment.

But the cry that "the people are too ignorant to govern themselves" has always been the last word of the enemy against every effort and claim for self-government, progress, and justice. This has been the roar of the tyrant at his helpless subjects; this was in the reply of King George to the American Colonies; this has been the hypocritical whine of special advantage seekers and their nauseous puppets and minions, and this, gentlemen, is the masterly explanation given to the American people by their benevolent, all-wise and, of course, unpresumptuous servants in legislative halls assembled. Self-government! Declaration of Independence! Both wrong.

Shall modest, sensible men, men of independent mind, subscribe to such a heresy? No! A thousand times, no!

Let us begin the rebuke of such an infamous doctrine. Let us speed that bright day when the spirit of equality shall fill every heart, when the goddess of justice shall reign supreme in the land, when every man shall pay her homage, and when the light of brotherly love shall shine from every eye.

Then shall the men assembled in legislative halls as the honored counselors of the whole people say to the self-seekers and their servants who skulk in the shadows of the Capitol with specious pleas for special privilege, "Begone! We have neither power or wish to give title to what you seek, nor will your offers of reward and your threats of calamity and destruction avail you. Away! Take your cause to our great sovereign, the people; we are but sentinels to warn our masters against invaders of their fair estate."

And to the suffering, miserable, humble men who come, followed by weeping wives and clamoring children; to these men who ask only that they may be heard in the forum of mankind as to the theft of their birthright, to them shall they say, "Yes; you shall be heard. Aye, more, we shall plead your cause before that great jury, the people."

Let us continue the war upon oligarchy until the enemy has been routed from every intrenchment and self-government has been established in city, State, and Nation. The fight will be bitter, but—

Courage, then, ye men yet strong;
Gird up your loins, go join the throng;
Battle for freedom, long sung by the muse;
Leave not a foeman; heed no flag of truce.

And when the din of battle's o'er,
And selfish greed shall reign no more,
We'll hasten forth proclaiming then
Peace on earth, good will toward men.

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, at the close of my six years of service in the House of Representatives, I wish to speak very briefly in regard to some of the measures of which I was author and which I urged during that time. My advocacy of these measures indicates in a general way the public policy in which I believe.

The more important measures proposed by me involve principles fundamentally different from what has been the policy of the Government heretofore.

The bill H. R. 289, providing for the ownership and operation of the Washington street railways by the city itself, as is well known, aroused a great deal of antagonism. Every public utility in the United States, either directly or indirectly, fought the passage of this bill. After a long struggle, however, the bill was favorably reported by the committee, and a carefully written report, urging the passage of the same, was filed. The chairman of the committee, however, was sincerely opposed to the measure and declined to call it up for consideration by the House.

The discussion which was aroused by the introduction of the bill, and the hearings which were held upon the same, without doubt did more than anything else in recent days to create public sentiment for the principle of city ownership of public utilities doing business in the city.

Another bill introduced by me (H. R. 5668), known as the colonization bill, involved a complete change in the policy of this Government as to the method of disposing of the public lands. The Government has always pursued the policy of giving away the public lands to private individuals, without providing any means which would enable the settler to make the necessary improvements. The consequence has been that in a short time the

lands in question were bought up by a few people and monopolized, thus preventing the best use of the land. The Crosser colonization bill, on the other hand, provided for the leasing of public lands to individuals at a yearly rent calculated not to exceed 4 per cent of the value of the land. The bill provided further for the loan of money by the Government for the purpose of making improvements on the land, and a maximum time of 50 years was provided in which to pay back the money to the Government.

The plan proposed by this bill would have done more to insure the systematic development of the remaining public lands than any system heretofore proposed, and would have enabled the people occupying the lands to procure the full value of the product of their toil. The persons getting land from the Government under the terms of the bill would be guaranteed possession as long as they should pay the yearly charge, and could at any time sell to others whatever interest they might have in the improvements made by them on the land. This plan would make it certain that the land would be used.

Another measure which I introduced was H. R. 4024, providing for a direct tax on the value of land in the United States, for the purpose of raising $2,000,000,000 of revenue. The object of the bill was to compel the use of land and to prevent speculation in the sale of land. The present system of taxation in force in the different States of the United States increases the tax burden on those who make the improvements and those who use the land and encourages men to hold land out of use. In a speech delivered in the House on May 22, 1917, I gave more fully the reasons why a tax on land values would benefit the people and why the present system retards progress, decreases wages, and prevents men from getting the full value of their labor. Those who have a monopoly of the natural resources of the country, and those who speculate in land, have always been and probably will continue to be bitterly opposed to such measure as this, because it strikes at the very foundation of the evil which enables them to accumulate riches from the toil of others.

Another measure which I introduced and advocated was H. R. 20147, providing for the Government manufacture of all war materials and for prohibiting all private individuals from manufacturing such materials. The purpose of prohibiting the manufacture of such materials by private individuals is to destroy the incentive they would otherwise have to agitate for war. It is considerable satisfaction to me to know that the peace conference has determined on this policy for the nations of the world, and the action of the delegates to the peace conference fully supports my contention. The men at the peace conference are convinced that private profit from the production of war materials has been one of the chief causes of war.

The measures to which I have referred are, as I have already said, all measures which involve a very fundamental and, as some call it, radical change of policy, and it was perhaps too much to expect that it would be possible to bring about a sufficient change in public sentiment throughout the country to induce the representatives of the people to abandon their opposition to them.

If one desires simply to procure the passage of bills, he had better content himself with the introduction of the usual kind of measures, making slight changes in the details of laws. For my own part I prefer to carry on the fight, however long it may be, for fundamental changes in the laws relating to our economic and social welfare, although I know that public men who undertake to bring about a change in the laws which enable the few to accumulate vast wealth out of the toil of the many has laid out a hard task for himself.

We have been confronted by many difficult questions during the present war Congress. Practically none but war measures were considered during this Congress, and no more difficult question presented itself than the conscription issue. I became thoroughly convinced that the principle of conscription was contrary to the spirit of American institutions, and expressed my disapproval of the principle in a speech made in the House on April 26, 1917. I knew at the time, of course, that I was giving the powerful special-privilege seekers and their flunkies an excuse for attacking me, and it was urged by some of my friends that I was making an unnecessary sacrifice in opposing the measure. The question of life and death is, however, big enough to justify any sacrifice. It was urged by the newspapers of the big interests that conscription was the most democratic and equitable way of providing an army. In my disagreement from that contention I find myself supported by Premier Lloyd George, head of the British peace delegation, who, near the close of the British campaign for the election of members of Parliament, announced as the policy of his administration that one of the first things the British Government would insist upon at the peace conference was the abolition of conscription throughout the world. This was the statement of one of the leading men of the allied nations, with which the United States fought side by side.

If conscription were so just and democratic as its advocates claimed it to be, then, since the war was fought to make the world safe for democracy, and the peace conference is writing the policy of insurance for its safety, why is it that after having had experience with conscription the delegates from all of the allied nations are determined to abolish the policy of conscription? I do not dispute the right of others to differ from me and to advocate the compulsory military system if they believe it to be wise, and I know that Members of the House advocating that system concede my right to differ from them on the subject, and also acknowledge the force of the argument against the compulsory military system. I am sure also that they must frankly admit that conscription is neither a democratic method nor an American method of raising an army.

Land for Soldiers.

EXTENSION OF REMARKS

OF

HON. JOHN M. BAER,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 8, 1919.

Mr. BAER. Mr. Speaker, I greatly regret that this third session of the Sixty-fifth Congress will adjourn without passing the urgent legislation required to adequately meet the imperative needs of the reconstruction period. There are many important bills which have been before the committee for months and which should have been brought out upon this floor. They would have passed this body with very little opposition on either the Republican or Democratic side of the House. I have introduced a bill to give to all soldiers, sailors, and marines one year's additional pay. I have indisputable evidence that an overwhelming number of discharged soldiers, especially the men with families and other dependents to support, are in need of funds to reinstate them in civil life. Some can not even get to their homes. It is my intention to reintroduce the bill and urge its immediate passage at the coming extra session which is inevitable owing to the vast amount of necessary legislation which will immediately be required to meet the afterwar problems. It was my earnest hope that the bill would pass, so as to meet the present needs of the situation until legislation could be enacted that would adequately provide for the future welfare of the men who have served their country with great honor to themselves and credit to our Nation.

It is also to be regretted that the session comes to a close without passing the so-called Lane bill or some similar legislation to make it possible for our returning heroes to obtain homes and useful employment. I have also introduced a bill which supplements the recommendations of the Secretary of the Interior and multiplies opportunities for the discharged soldier. The measure provides that these men who so gallantly offered their lives to our Nation shall have an opportunity for education and training in the vocational lines which they desire to follow. I have talked to over 300,000 soldiers in the camps, and I believe I have had an unusual privilege to sense their needs. I know that many have been awakened to the great advantages they are able to obtain under our free institutions. We should open the door of opportunity to all men who desire to better their conditions. I believe that there will be much severe criticism of the present administration for not having a definite program of reconstruction and for delaying the legislation which is so important in order to meet the critical conditions which become increasingly more difficult to solve. It is true, many bills were brought in during the closing hours when there was not sufficient time to give them due consideration, but this does not remove the just criticism for their delay.

I have received hundreds of letters from soldiers who inquire about the proposed land for soldiers. There will now be a delay of months and perhaps a year because we have not been given a chance to consider problems which should have been taken up a year ago.

Other countries have a definite program which they are carrying out at the present time. They have not only legislated to take care of their domestic questions, but also are doing everything possible to increase their foreign commerce. In both our domestic and commercial matters our country has stood still for over a year.

Let us see what our neighbor Canada is doing. Canada has caused the expropriation of all parcels of lands over one section in area owned by speculators not working the same to be projected by the Federal Government in order to give the returned men a square deal on the land-settlement question. Under the new scheme a soldier may purchase land up to the value of $5,000, free from interest for two years, and the Government will finance the men if they prove that they are experienced farmers. They can raise a further loan of $1,000 for building. When a farm is bought by a returned soldier in this manner the Government will break 50 acres, if that amount is not already broken, and this, with the loans, will give the soldiers a great start toward becoming owners of land and successful farmers. There will be no restrictions on the locations of the farms desired by the soldiers. Inexperienced men will be given a course in agriculture in practical conditions in order to fit them for running a modern farm.

A soldier settlement board of three members was appointed in February, 1919, following upon the act of August 29, 1917, called "An act to assist returned soldiers in settling upon the land and to increase agricultural production." The essential features of this act are the bestowal of agricultural credit when needed by soldiers in any part of the Dominion and the gift of Dominion land in western Canada. The credit may be used for acquiring and improving land, for the payment of incumbrances, erection of buildings, purchase of stocks, and so forth. The sum of $2,916,000 has been appropriated by parliament for the purposes of this act.

The Australian States have had a relatively long experience in the purchase, subdivision, and settlement of lands; they can, in general, do little more for the soldier than they have done for the settler since 1901, except to hasten the development of new areas of land and to increase the rate of purchase. Between 1901 and 1914 the six Australian States purchased and subdivided 3,056,957 acres, for which $55,243,125 was paid, or about $18 an acre. Settlers were also assisted to build homes and to make needed improvements. Between 1900 and 1914, $68,029,500 was loaned for improvements. The Commonwealth Government alone advanced £100,000 to settlers in 1917–18. It expects to advance £2,000,000 in 1918–19.

The Australian Dominion Government was the first to draft a fully adequate law to repatriate the soldier, be he maimed or whole bodied. The repatriation act of 1916 was intended to consolidate and stabilize the private patriotic funds which were being accumulated in the several States and were being administered locally. The Government added to the sums collected by the States, making a total fund of £359,355. This was used for relief and vocational service of all kinds, including small sums for the reestablishment of shops and small farms.

The next step was a beginning toward actual settlement. In consideration of the number of men in the army who have expressed a desire to take up land the Government contemplates an expenditure of £20,000,000—an equivalent for the population of the United States of about $2,000,000,000 to place soldiers upon the land.

New Zealand, a very progressive colony, has a splendid record of legislation for returned veterans. Lands for soldiers are of two classes, ordinary tenures being areas for general farming and sheep runs, and special tenure being small acreage near towns and cities, largely for disabled soldiers. Lands under ordinary tenures are purchased or set apart by proclamation. These may be obtained for cash, occupation with right of purchase, renewal lease, or small grazing run lease, as the case may be.

In the year 1917, 276,290 acres were set apart for the soldiers. The Government has provided suburban land suitable for market gardening, poultry farms; small areas of rural land, adapted to beekeeping; small farms, suitable for dairying, fruit growing, and so forth; large holdings, suitable for mixed farming; and pastoral country, for grazing only.

Thus we see that the other English-speaking countries are far in advance of our country in solving the land problem. They have not only made arrangements for farm lands, but they are also establishing just marketing conditions. Their economic program of efficient distribution is similar in every way to the plan of the Nonpartisan League in North Dakota.

This work should not be postponed. This Congress has already appropriated $200,000 for an examination into the reclaimable land resources of the country. I supported that appropriation and shall gladly support a measure for additional funds to actually carry out the plans of the Secretary of the Interior. My only regret is that the Secretary, who is a member of the President's Cabinet, and whose party is in control of both branches of Congress, did not bring in a bill six months ago instead of in the few remaining hours of a strenuous session, in which we considered and passed more bills which included greater appropriations than any other legislature in the world's history.

I believe that both for securing homes for the soldiers and furnishing employment that the proposed legislation will be very beneficial to our country. Increased production is now needed more than ever to meet our gigantic costs in the war.

After the Civil War the homestead act proved to be a magic wand in settling the West. The public domain formed the safety valve of economic discontent. But now we face a new problem. Since the sixties there has sprung up in this country a monopolistic control of our markets. Profiteers, gamblers, and speculators have clogged the channels of trade. They must be removed or we shall find that the new farmers will not stay upon the proposed farms. Some of the defects in our old system have been described by Dr. Elwood Mead in these words:

> Science (should) have gone hand in hand with the settlement of the arid and semiarid country, and all that science could give would have been utilized, first in the creation of the conditions of settlement and then in aiding the settler in difficult tasks. Because nothing was done these heroic but uniformed souls were bedeviled by the winds, cold, drought, and insect pests. They wasted their efforts, lost their hopes and ambitions, and a tragic percentage left impoverished and embittered. The tragic part of this history is that nearly all this suffering and loss could have been avoided under a carefully thought-out plan of development.

Those soldiers who are sons of farmers, and they are chiefly the ones who will take up the land, already know the injustice and iniquities in our present method of distribution. They know the farmer only received 36 cents out of a normal dollar and now only 18 cents out of a "50-cent" dollar.

With the great land movement must come a new economic freedom, or the whole comprehensive scheme of back to the land will fail. Other nations are now meeting this problem. It is time that we, right here in this Congress, take action. As I said, North Dakota is solving it. They are doing just what the people in the cities did when private corporations charged exorbitant rates for water supply, gas, electricity, and other utilities. They are going to have State ownership of the marketing facilities to handle the natural flow of their grain to eastern markets, just as the people in the cities obtained municipal ownership of utilities when they wanted cheap rates on gas, water, and electricity. One is no more radical than the other.

In just the degree that the private monopolies increase their greed and profits the people will increase their demand for publicly owned marketing facilities. On the other hand, the cry for Federal and State ownership will decrease in the same degree that the utility and marketing monopolies become less selfish and become the efficient servants and not exploiting robbers of the people.

MEMORIAL ADDRESS

OF

HON. PERL D. DECKER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. DECKER. Mr. Speaker, I find it in my heart to say a word relative, first, to our colleague from Missouri, Mr. MEEKER. I did not know him well in life, and it would not be appropriate for me to speak with authority as to his personal character and from the standpoint of an intimate friend.

We differed radically, he and I. He was a Republican and I am a Democrat. I am a prohibitionist and he was not. But whatever he advocated he advocated with all his force and without fear. I have tried to do the same as to the things in which I believe. And for this reason my late colleague, Mr. MEEKER, of Missouri, commanded my respect. As to his ability, it was unquestioned, not only from the work which he did in this House but upon the platform throughout Missouri advocating the things for which he stood.

There is a characteristic relative to Mr. MEEKER with which I am familiar. I feel that only justice to him commands that I should speak. Mr. MEEKER was at one time a minister of the Gospel, but in spite of that he claimed the right and exercised the right to speak against prohibition. This brought down upon his head a storm of protest and a storm of opposition that was great. I for one wish to say that I acknowledged his right to do this, though prohibitionist I have been from my cradle and expect to be to my grave. Prohibition never was and never will be a religious question. I alwnys acknowledged the right of Mr. MEEKER to speak as a minister of the Gospel, as a lawyer, and as a Congressman against the principles in which I believed as to prohibition.

I knew his viewpoint on this, because I had the pleasure of talking with him about it one afternoon coming from St. Louis to Washington, and I gathered from him the thing that consumed his mind and heart. It was not so much the question of drinking liquor; it was his opposition to the idea of substituting religious dogma for reason. He denied the right of any church to tell him how he should vote on any proposition. In this he was right. I have always believed that men have weakened the prohibition cause by trying to make it a tenet of Christianity. It is an economic and a political question. I did not agree with Mr. MEEKER as to his position on prohibition, but I always respected his ability, and I reserved to him the right to speak his sentiments, the same right that I claim for myself. I am glad of one thing, that shortly after the controversy which, as you remember, he and I had in the House, though neither of us recanted our views or withdrew anything we said as to the principles for which we stood, yet we spoke and parted as good friends. And it was with pain, it was with deep regret, that a few days later I received the news, at Joplin, that my colleague had passed on to "the undiscovered country from whose bourne no traveler returns."

I am glad to stand here in this Hall and speak these words of appreciation which I had for him.

I desire to pay my tribute, with the rest of my colleagues, to that great Missourian whom we all honored and whom we all loved, Senator STONE. It would be almost impertinent for me to try to analyze his character and his history, because he was in public life as long or longer than I have been in this world. His career in public life began about the time that I was born. I did not know him when he was a Representative in Congress from the district which I have the honor now to represent. I did not know him when he was governor of Missouri. I am not familiar personally with all the storms and contests in Missouri through which he passed. My first acquaintance with him which could in truthfulness be called intimate began after my election to this high body.

To speak of his ability is unnecessary. It has never been disputed; it has never been questioned, either in Missouri or in the United States. But I do want to speak of the thing which to me stands out preeminently above every other characteristic which this great man possessed. CHAMP CLARK, the beloved Missourian, has said "That no man is fit to be a lawgiver for a mighty Nation who yields to the demands and solicitations of the few who may have access to his ear, but is unmindful of the vast multitude who may never hear his voice or look into his face."

When the things which CHAMP CLARK has said on history, when the things said about him as the beloved Speaker of this House and leader of democracy have been forgotten, that one utterance of his, in my humble opinion, will make him live in history. For it is as true to-day, as it has always been, that the pen is mightier than the sword. No man is fit to be a lawgiver of a mighty nation who yields to the demands and solicitations of the few who may have access to his ear, but is unmindful of the vast multitude who may never hear his voice or look into his face. In that brief sentence you find the guiding star of Missouri's great Senator, WILLIAM JOEL STONE.

And why avoid the question? We are all friends here to-day, are we not? You know to-day when you mention the name of Senator STONE you do not think of him as Representative, you do not think of him as prosecuting attorney of one of the great counties of my district, you do not think of him as governor, you do not think of him as Senator; you think of him and the part he played in the great struggle of all the world that has just been brought to a termination. This is not the time nor place to discuss whether Senator STONE was right or wrong. But to me it would be a mockery, to me it would be a sham, if I stood here in this great legislative Hall to-day and was silent as to the great part he played in that titanic struggle. The majority will say that he was wrong. Let him who can weigh the value of a human life and a human career, and then multiply it by 50,000—to say nothing of the courses which lie ahead of our great Nation—let him who can measure human life say, with dogmatic and arrogant authority, that our great Senator from Missouri was wrong. But whether or not you can say in your heart that he was wrong in what he did, you can not deny that he thought he was right; and in this solemn hour when his colleagues in public life pay tribute to his memory, I dare to stand and resent to all the world the slander, the villification, the abuse that was heaped upon him from the public press and from the rostrum and from the pulpit of my country for doing with courage the things that he thought were right.

I pay tribute to the men who followed the different course, which they thought right. It took courage for them to do different from what Senator STONE thought should be done. But in this solemn hour when we pay tribute to this great man, who sleeps the last long sleep in the peaceful country churchyard in the district which I have the honor to represent, I dare to proclaim anew the doctrine that any man who sits in the Senate of the United States from Missouri and does not on every question, especially the vital question of peace or war, do what he thinks is right is a traitor to Missouri and is unworthy of the senatorial toga of that great State.

And so it was that in the last hours of his eventful life, with the marks of age taking hold of him, when his feet were close to the river's brink, his heart became more mellow, his feelings for those who opposed him more gentle, his infinite patience and kindness to his fellow men, as it seemed to me, increased. But, thanks be to God, who giveth the victory, there was no diminution of his lionlike courage and of his ability to fight for what he thought was good for old Missouri and for the people, high or humble, of the United States. He went down as a true Senator from Missouri—went down not with feebleness, not with faltering, but with the courage of a man who realizes the dignity of his office and the solemnity of the responsibilities imposed upon him.

Sleep on, brave Senator from Missouri! You followed the even tenor of your way in the last hours of your life, when I knew you well. You followed it imperturbed by the tempests of prejudice and passion which raged about you, unshaken by the storm of villification and abuse that beat over your aged head. Your heart to the very last was kindly and loving and affectionate for the people of Missouri and the people of the world, and even for those who abused and misunderstood you.

History will be written some day. How high a place you will have on that page I do not know, brave Senator from Missouri. But this I do know: That when the storms of misrepresentation, when the blasts of prejudice and misunderstanding, have passed and gone, the people of Missouri and the people of this country will pay just appreciation to you as a great man who in the last hours of his life lived up to Missouri's traditions and did what he thought was right, not for the sake of political preferment but for the sake of those of whom the other great Missourian, CHAMP CLARK, spoke when he said: "No man is fit to be a lawgiver of a mighty nation who yields to the demands and solicitations of the few who may have access to his ear and is unmindful of the vast multitude who may never hear his voice or look into his face."

Municipal Ownership of the Street Railways of the District of Columbia.

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 3, 1919.

Mr. CROSSER. Mr. Speaker, people engage in business for the purpose of satisfying their desires, and the natural law which prompts one to serve his own interests primarily is invariably operative in the conduct of any business. This human tendency, if unrestrained, would cause those engaged in vending any sort of merchandise or service to demand all that the person desiring the merchandise or service would be willing or able to give for it. It so happens, however, that in all ordinary lines of business we have a great many persons who are able to supply the same kind of merchandise or render the same service, and as each is anxious to do the business, that is, make the sale or render the service for profit, this rivalry or com-

petition reduces the price of the merchandise or service in question as far as possible and still yields a reasonable profit. Where, however, any service must necessarily and properly be performed by an agency enjoying the sole right to serve the public generally, the natural law involved in competition can, of course, play no part. Public utility service, so called, should be rendered by an agency enjoying a monopoly of the right to render such service, and this is generally the case. The question then arises whether this monopoly right should be exercised by private individuals or institutions or by public agencies.

Now, it is conceded that the prime, and really the only motive in private enterprise, is profit. The greater the profit the more successful is the business from the standpoint of the person or persons who own the business. The greatest profit is derived by exacting the highest price which the person desiring service or merchandise is willing to pay in order to get it, or by giving as little service or goods as possible for what the buyer can pay, which amounts to the same thing. That is the natural tendency of the private individual or individuals enjoying the sole right to supply any public service unless there is some check.

Of course, from the very beginning the private owners of public utilities have been subjected to certain restrictions as to the price to be charged the consumer, the manner in which the service should be extended, and so forth. It was self-evident that some such conditions should be imposed upon the private owners, since otherwise, as I have already stated, they would practice extortion, render inferior and inadequate service, and so forth. The natural desire to serve their own interest, however, by procuring the greatest profit possible, in the very beginning caused, and still causes, those desiring the exclusive privilege of operating a public utility to employ every means for the purpose of inducing the municipal authorities to grant the privilege in question upon terms as favorable as possible to parties desiring the right to operate the public utility. The municipal authorities, however, unless subjected to some particular influence which would induce them to do otherwise, naturally would be disposed to see that the public were fully protected. The persons desiring the particular privilege in question, therefore, begin to devise ways and means of influencing the municipal authorities to grant the privilege of supplying the service upon terms satisfactory to the persons seeking the exclusive privilege in question.

The most obvious method, and the one generally employed in the early history of the public utility, is to offer some sort of a reward to the officials having authority to grant the private person or company the privilege desired by them. Almost every important city in the United States has had its experience with this sort of corruption of its public officials.

In his book entitled "Facts and Opinions," ex-Mayor Hazen S. Pingree, of Detroit, says that the Citizens Railway Co. of that city "literally owns the council, body and soul." He states that it would pay $3,000 for a member of the city council, and actually offered to buy the mayor of the city for $75,000.

In New York City the Broadway surface franchise was secured by influencing the councilmen in the manner referred to, and those councilmen rejected the offer of the Cable Railway Co. to pay the city of New York a bonus of $1,000,000, but the aldermen, in order to enrich themselves, refused to grant the franchise to the cable company, although it would have meant a million dollars to the taxpayers of New York City. Upon investigation it was shown that the aldermen were given $20,000 apiece, and that the total expense of this nature to the railway company was $500,000. These we find to be the facts in the report of commissioners of railroads relative to the Broadway Surface Railroad Co., as set forth in New York senate document No. 79, in the year 1888.

We all remember the San Francisco scandal, which resulted in a number of prominent men being indicted and some convicted.

Sometimes, however, public officials are found who can not be tempted by the offer of any reward, and in such cases it is frequently found that the persons striving to procure the so-called franchise or similar privilege, undertake the intimidation of the official or officials who have manfully refused their bribes.

But it is unnecessary to discuss all of the different methods employed to accomplish the one purpose, viz, the procuring of the monopoly privilege on terms which are satisfactory to those seeking such privilege. Even after they have procured the right in question, the tendency is to operate their plant in such a manner as proves unsatisfactory to the public generally. In order to increase their profits, they naturally try to minimize the expense of operation as much as possible, and this means deterioration in service.

It is a common saying among street railway managers, for example, that "strap hangers make dividends." Schedules are reduced in order to reduce the expense. The wages of employees are kept down as much as possible so as to leave as great a profit in the hands of the company as possible. These are a few of the evils resulting from private ownership and operation of public utilities. There is, however, one other objection which I have not mentioned but which seems to me to be one of the most serious of all.

It will be conceded by all that most persons want men in public office who hold views similar to their own, and who will conduct themselves in their official capacity in such a manner as will promote their interests. This fact causes men who must procure special privileges in order to conduct their business, as is the case with every public utility, to exercise their influence and exert themselves toward the election or appointment to public office of men who will be favorably disposed to the interests of those who must have special privileges. Men of this type, elected or appointed to public office, will, of course, feel inclined to pay the obligation which they feel they owe to those who interested themselves in their election or appointment. Now, men who can be relied upon to do the bidding of any special interest, either because they owe their election or appointment to the influence of that interest, or because of some reward offered for compliance with the request of such interests, are certainly not men of strong moral fiber, but, on the contrary, are generally weak and inefficient. As a result we have not only maladministration by such officers as to the public utilities, the owners of which have befriended them, but also an inefficient administration in regard to all other matters, for men who are weak enough to be controlled by such special interests have not the force and sense of justice which would qualify them to administer the ordinary affairs of government impartially and efficiently. Men who are weak enough to bargain away the people's rights for political support received before election, or for material reward offered after election or appointment, are not the kind of men who have the clear vision and the high ideals necessary to enable them to perform the duties of public office in the proper manner.

While those persons having an interest in privately owned public utilities have no desire to have a bad police system, or inefficient school system, or a bad administration in any of the ordinary lines of municipal activities, and may, in fact, be trying hard to "clean up the city government," as they call it, in these respects, and to give us what they delight to call a "business administration," nevertheless, in so far as they may find it necessary for their own interests, to put weak and pliable men into public office, just so far have they been the cause of the inefficient government in all of the other respects mentioned.

But the evils of private ownership have, for several years now, been generally acknowledged, even by the more intelligent men directly interested in privately owned public utilities. They realize the force of the objections and the arguments made against the institutions with which they are identified, and, in order to postpone the day of reckoning as far as possible, they are now constantly urging regulation as the proper remedy for the evils which invariably accompany private ownership. It is somewhat amusing to note how eager and vociferous are the demands of those private owners for regulation. It seems to be assumed by them that regulation was never attempted by public authority during the early history of public utilities, whereas the fact is that from the very beginning they have been subject to certain legal restrictions. The terms of the franchise, the traffic regulations, etc., were all efforts at regulation. What is really desired and proposed by these private concerns is simply a little different form of regulation. They would have the regulating authority transferred from the city council, or similar authority, to some State board. In fact, Mr. Rosecrantz, general counsel for the public utilities companies of Milwaukee, frankly says that he objects to regulation by local authority.

We all know that city councils have now become much more sensitive to the people's will and that the people of the cities are beginning to understand very thoroughly their rights in regard to public utilities. It is, therefore, natural that those who are so loudly clamoring to be regulated want the regulating authority as far away from the seat of war as possible and desire a board whose authority is not derived from the people who must deal with the privately owned utility.

Practically every objection which has been shown to apply to private ownership and operation of street railways under the franchise plan of controlling the privately owned utility applies to the later method of regulation. It is just as natural for

those who must use the public property to conduct their business to make every effort possible to prevent the new kind of regulation from diminishing their profits as it was under the old system of regulation. They are just as anxious to have members of public utility commissions appointed or elected who are satisfactory to them and to their interests as they were in the old days to have councilmen or aldermen who were satisfactory to them. They want men who can be relied upon to regulate them in the way they want to be regulated. In short, we can not change human nature by changing the name of the regulating authority.

This is not all theory, either. The history of regulation has been marked by constant resistance against every important order or measure made for the purpose of accomplishing anything substantial in the way of control. The Cullom Act, which was enacted in 1887 for the purpose of regulating interstate commerce, was followed by the Spokane case, which was decided by the Interstate Commerce Commission in favor of the city of Spokane. Immediately the case was taken into the courts, where it remained for a long time, the fourth section of the law being finally declared unconstitutional. The Dolliver-Hepburn Act was then passed, in 1906, to meet the objection which the court found in the Cullom Act. The city of Spokane filed another case similar to the one first mentioned, but the main question was not finally decided until after the lapse of seven or eight years.

It is claimed by the defenders of private ownership of public utilities that while the private companies have sinned in the past and have been guilty of the wrongs to which I have already referred, they now have reformed and are conducting themselves as good people should do; in short, that they have practically forgotten self-interest and are simply interesting themselves in the public weal. It is not necessary to look very far for glaring proof to the contrary. A little over a year ago the railroad commission of San Francisco, in passing upon the application of the United Railroads of San Francisco for permission to issue $2,350,000 five-year notes for the purpose of paying off certain of its bonds, found that the United Railroads had exchanged with its owners its own promises to pay and set them up as investments. Such conduct is the natural result which we might expect when the chief motive which actuates the sole agency supplying any public service is profit. Regulation may, and no doubt does, prevent the evils to which we have referred from going to the extremes that otherwise would be the case, but the theory of regulation is not sound. It is never a really effective method of procuring the desired results and is not at all permanent. It is an unsound philosophy, which insists upon the maintaining of conditions which naturally induce human nature to go wrong when it comes in contact with them. If we make it to the material advantage of men to veer from the path of justice, the likelihood is that they will commit injustices. A man may be willing to sit up all night for two or three nights to guard his home against a burglar whom he knows to be at large in the community, but after awhile he will get tired of doing this and will endeavor to have the burglar locked up instead, so that he can go to bed and have a good night's sleep. So it is with the public in regard to private individuals who are seeking a monopoly of the right to provide a certain public service. The public may, through utilities commissions, etc., watch them and regulate them for awhile, but ultimately it will be found a much better way to quit the task of watching lest some private individual should rob the community of its property, and, instead, arrange to serve itself and shut the door against those who may be tempted to secure unfair advantage over the public.

Even assuming that regulation should succeed pretty well in the beginning because of an aroused public interest, the tendency would be to lapse into the old habits. The tendency is for the mind to tire of constant watching and relax its vigilance, and so it is with the composite mind of the public. It becomes weary of the task at times and relaxes its attention, but the persons who are either seeking the private ownership of new public utilities or more favorable conditions in regard to those already established have a strong motive for urging their demands, and then conditions are established from which it may be impossible for the public to be freed for a long period of time.

I believe that municipal ownership and operation of public utilities is the real solution to the problem. Under this plan profit is not the prime incentive, as in the case of private ownership. The object of a municipality is to render the best possible service at the lowest price which will enable it to pay expenses. There are no privileges to be sought by a municipality, and hence no temptation to bribe or pay anyone for privileges. The public officials charged with the duty of operating any utility, as they reduce the cost and increase the quality of the service, will accordingly please their employer, namely, the people.

The motive of such official is to procure the approbation of the general public, and this is possible only by serving the best interests of the public. According to his success will be his reputation, the certainty of employment, and the increase of his compensation toward the maximum for the kind of employment in which he is engaged.

There is really but one argument of any consequence ever made against municipal ownership, and that is the fact that the persons employed to operate the utility would be selected with the object of building a political machine. It is true, of course, that under any popular government the public servant, as well as the private citizen, can exercise his influence to make the government reflect his will as much as possible. The only question, therefore, is whether the system of private ownership or public ownership gives the public-utility employee the greater advantage over the ordinary citizen. Certainly under the system of private ownership the employee of the public utility exerts his influence in favor of his employer in any dispute which it may have with the public. Of course, where the dispute concerns the terms of employment of the employee, he naturally opposes the company. This was the experience in the city of Cleveland during the street railway controversy between 1901 and 1908. Employees of the old street railway almost unanimously supported the contentions of the company at every election and opposed Mayor Johnson. But in addition to this fact we must remember that there were at least as many stockholders as employees, who were also straining every nerve to procure that for which the company was fighting. Now, under municipal ownership we would have about the same number of employees, and we may assume that they would also be politically active in behalf of those who had employed them, but we do not have the large number of stockolders working in conjunction with the employees. Every citizen is a stockholder in the municipally owned utility, and his interests are in common with every other citizen, so that the public advantage is his advantage. It is claimed, however, that because of the desire to build a machine and perpetuate themselves in office those having the authority to employ the operatives of public utilities would select men who are not qualified to perform the duties incident to the position given them, but, rather, would employ men because of their superior political influence and their ability to control this ward or that precinct. This argument ignores entirely the element of public sentiment. Since we have popular government, those intrusted with the management of publicly owned utilities would be under the necessity of pleasing their employer, the public, if they desired the success which most public officials do desire, viz, the satisfying of the public demand. If such public officials should appoint a lot of incompetents to operate the utility, the service would necessarily be very unsatisfactory and would meet with severe condemnation from the public. This would certainly be injurious to the official intrusted with the management of the utility, and probably would mean his removal from office. It would seem, therefore, that intelligent selfishness would cause him to select the best men obtainable to operate the utility for the success of which he would be responsible.

But, as a matter of fact, have we heard of anyone making a political machine of the police force or the fire department?

One fact has been entirely overlooked by those who are so much concerned about the political machine which would be formed from the utility employees, and that is that we would then have abolished the privilege-seeking horde. We would no longer have to sit up nights watching lest they might swindle the public out of its rights, and consequently the people having rid themselves of that task would be free to watch more closely the conduct of its public officials and see that they discharged their duties in an efficient manner. There being then no franchise scandals possible, the newspapers would devote themselves to criticism of public officials as to the discharge of their duties as managers of the publicly owned utility, as well as in other official capacities, all of which would make it very difficult, if not disastrous, for the managers of publicly owned utilities to employ men regardless of their ability and training.

I believe, therefore, that upon principle municipal ownership of public utilities is absolutely sound.

Many who agree with us, however, in our reasoning as applied to a particular public utility find considerable difficulty in making a general application of the principle of municipal ownership of public utilities. The opposition insists that the logical conclusion of our argument is that we must have municipal ownership of bakeshops, grocery stores, etc. That, of course, does not follow. The true test is this: If it is necessary that the agency rendering any service to the public must have a monopoly of the right to render such service, and the streets or other

public property must be used in doing so, then that agency should be the governmental authority itself.

Before closing I wish to call attention to the fact that the experience in Great Britain substantiates the claims which I have made. In 1906 the National Civic Federation created a committee for the investigation of municipal ownership of public utilities. This committee selected five cities, consisting of Glasgow, Leeds, Liverpool, Sheffield, and Manchester, which originally had privately owned street railways, but which later municipalized the street railway systems. The committee determined the percentage of increase of extensions of the railway systems during the entire period of private ownership, and also the percentage of increase for a like number of years after the date of municipalization, and it was found that the annual average increase during the period of company operation was 1.2 per cent, while the average annual increase during the period of city operation was 15.8 per cent. The committee also calculated the percentage of increase of extensions of street railways in five cities where private ownership had continued to the date of collecting the data, using the dates of municipalization of the first five cities as a dividing date for the five cities where private ownership continued to the date of collecting the data. It was found that the average annual increase of extensions before the dividing date was 4 per cent, and that the average annual increase after the dividing date was 5.5 per cent, a difference of only 1.5 per cent. Compare this with the first five cities referred to, which showed an annual average increase of 15.8 per cent under municipal operation as against 1.2 per cent under private operation.

Data were collected in regard to the reduction of fares in both of these groups of cities for the same periods. During the private ownership and operation of the street railways in the first group, consisting of Glasgow, Leeds, Liverpool, Sheffield, and Manchester, the average annual reduction was 0.5 per cent, while during the period of municipal ownership and operation in the same five cities the annual reduction was 3.21 per cent, or more than six times the reduction made during private operation. In the group of six cities, consisting of Dublin, Edinburgh, Bristol, Belfast, London, and Norwich, which had private ownership until the date of procuring the data, we find very different results. The committee divided the period of private operation into two parts, using the dates of municipalization of the first five as the dates for division of the companies' experience in the latter six cities. During the first period the average annual reduction was 2.46 per cent, while during the second period the average annual reduction was only 0.61 per cent. It will thus be seen that the per cent of reduction decreased during the latter part of the company operation, whereas in the first five cities mentioned in the period of municipalization it increased more than six times.

The evidence produced before the committee also indicated that the condition of labor had very much improved during the period of municipal ownership and operation, and this is but natural. Since the public generally consists of persons who must earn their living, they are disposed to be fair with those employed by the city. During the period of rapid municipalization in Great Britain the reduction of the hours of street railway employees amounted to about 48 per cent, while the increase in wages at the same time amounted to about 42 per cent. Mr. W. L. Magdon, manager of the Brush Electrical Engineering Co., of Great Britain, who appeared before the National Civic Federation Committee in opposition to municipal ownership, said:

> It is beginning to be felt by those engaged in private enterprises that any industry in which the municipalities become established is a very good one for the private trader to be out of. It is a rather serious but sincere statement. We find in tramway work they establish labor conditions which sooner or later become imposed by pressure on private undertakings, and these are so onerous as to seriously handicap the private enterprise.

In testifying before the civic federation committee, Mr. T. M. Wood, of the London County Council, concluded by saying: "We regard it as a great advantage to work the men humanely—quite as great an advantage as 1 per cent more profit."

In conclusion, I wish to restate briefly the advantages which I think will result from municipal ownership and operation of public utilities: First, a reduction in the charges made for the service rendered; second, an improvement of the service; third, an improvement in the conditions of labor; fourth, and most important of all, in my opinion, the fact that, with the establishment of ownership and operation of all public utilities, the city governments would be free from the influence of those seeking the right, upon most favorable terms, to privately own and operate public utilities. This would give the cities of this country a chance to grow and to develop governments, the privilege of serving in which the most prominent and capable citizens would seek.

SPEECH
OF
HON. JOHN M. BAER,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

Mr. BAER. Mr. Chairman, while under the discussion of the Bureau of Markets, I want to call the attention of the committee to the fact that the farmers of the Northwest have the same complaint in regard to the Federal grain grades as do the farmers in the district represented by the gentleman from Virginia [Mr. HARRISON] who just spoke. The grades are too complicated and discriminate against the spring wheat farmers more than any other section of the country. This is due to the fact that spring wheat does not get an early start and the weeds and foreign matter grow up with it. Winter wheat receives a good start in the spring and smothers out the wild grain, weeds, and foreign matter.

Another complaint is that the producers of grain do not have any say in the matter of grades. Actual farmers should have representation on the board. The producer should be protected as well as the miller. The United States Grain Corporation has on hand a surplus of $500,000, which it gained through the usual mixing process employed in handling of 700,000,000 bushels of wheat. The farmer should derive the benefit of this mixing if same can not be prohibited.

In North Dakota we have a State administration now which is protecting the farmers against these discriminatory practices. Remedial legislation correcting the evils of the present grain dockage system and compelling the elevators to pay grain growers the value of the dockage, less separation costs, are among the recommendations made to the legislature in the report of the commission of grades, weights, and measures, of which Dr. Ladd, president of the Agricultural College of North Dakota, is the head.

I know of one instance where a farmer obtained over $45 for the volunteer flax in two loads of wheat. If he had not received the protection of the State authorities this amount would have been an entire loss to him.

Farmers of North Dakota annually lose $1,500,000 in dockage. Very often the dockage has a greater value than the wheat itself, and it is not uncommon for a carload of wheat to contain several hundred dollars worth of flax or lesser amounts of wild oats, mustard seeds, rye, or barley. The legislature this year provided laws whereby grain buyers shall be compelled to pay the full market value of such grain cleaned from the wheat, less a reasonable charge for the separating. Dr. John Worst, former president of our agricultural college, stated that in the loss through grading, dockage, and loss of fertility the farmers of North Dakota were robbed of $55,000,000 annually.

THE MARKET PROBLEM.

A new and scientific method of marketing is a problem that surpasses every other economic movement in its importance. Every plan to obtain for the farmer a greater share of that which he produces and at the same time to reduce the cost of living for the consumer demands our immediate attention and earnest consideration. We have momentous problems which must be solved. The American people will not approve of leaders who merely complain and criticize existing conditions without suggesting a constructive remedy. About the time the political campaigns roll around the politician will be ready to solve the high-cost-of-living problem. Like a quack doctor he will stick an attractive label on a bottle, but he will not give us any remedial contents to cure our economic ills. The National Nonpartisan League, the farmers' great movement of the West, has a definite program which will give the people a remedy. The people of the country are sick and tired of party labels and empty bottles.

Mr. H. W. Collingwood, editor of the Rural New Yorker, who has made a life study of the subject of marketing, says that on a yearly average the farmer receives 35 cents for his products which costs the consumer $1. This authority is supported by another eminent expert, Mr. John Dillon, head of the Bureau of Foods and Markets of New York City, who declares that the ultimate consumer pays two-thirds of his dollar to the system of distribution. In other words, it costs a minimum of 65 cents to handle 35 cents worth of foodstuffs.

It is unnecessary to quote experts on the subject. Did not Mayor Shank, of Indianapolis, recently go to Grand Rapids and buy several carloads of potatoes at 50 cents per bushel from

jobbers—the farmers received 40 cents; and did he not sell them in his city for 75 cents per bushel when they were costing the consumer $2 per bushel in that city? He handled potatoes for 35 cents which the profiteers got $1.50 for handling.

The report of the California Fruit Growers' Association shows that the grower received on an average for the past four years $1.60 per crate for oranges, while during the same period the consumer paid an average of $4.80. In New York City people paid 14 cents a quart for milk for which the farmer received 5½ cents. In South Bend, Ill., while the farmer, 135 miles away, received 60 cents per bushel for tomatoes, they were selling for $3 per bushel. A farmer gets 20 cents a pound for cotton. We must pay $2.56 for that pound of cotton when woven. For a pair of shoes selling at $8 the farmer gets 75 cents for the leather and labor gets 45 cents.

The farmer sells his wool for 60 cents a pound. We must pay $4.75 for that pound of wool when bought as yarn. In Fargo, N. Dak., when the farmer was getting 60 cents for his wool, yarn was selling at $2.50—yarn spun at very little cost. Later, when the War Industries Board fixed the price of wool at 57 cents, yarn sold at $4.75. The price of the raw material was fixed; the price of the finished product was not. Through these wasteful methods of handling it costs from two to five dollars to deliver $1 worth of food. Stated in terms of man power, it takes from two to five men to handle a one-man power product.

On May 17, 1917, when Mr. Hoover became head of the Food Administration, flour was selling in England for $8.20 a barrel. In Fargo it was selling at $17.60 a barrel. Both flours were made from the same wheat. It cost $9.40 more in Fargo than in England, 5,000 miles away.

Later on, when the farmer was getting twice as much for his wheat by Government guaranty, flour cost $10.60 a barrel, a saving of $7 to the consumer. At the same time barley, with price uncontrolled, could be bought for 63 cents at the elevator; and barley flour in North Dakota cost $14.60 a barrel. A bushel and a half of barley is equivalent to one bushel of wheat. The retailer paid $4 more for a barrel of barley flour than for a barrel of wheat flour; at the same time the market price of wheat was more than twice the price of an equivalent amount of barley.

This probably accounts for the excessive profits of the millers who increased their operating profits 175 per cent, and on the capital invested 100 per cent. These excess profits were not made on wheat flour alone, but also on the substitutes which the people so patriotically used to conserve wheat.

One does not have to speak in generalities about the profits of handling foods. One can pick out a specific case which is only a single factor of the present complex system of marketing. The packers, for instance, accumulated undue dividends. The Federal Trade Commission found that four packers increased their earnings $121,000,000 above their prewar profits. Morris & Co. made a profit of 263.7 per cent. These monopolists have complete control of the market facilities, absolutely controlling the price of live stock through pooling, dividing purchases, splitting shipments, and various other conspiracies.

The Steel Trust was permitted to increase its profits from $47,000,000 in 1914 to $478,000,000 in 1918, or about 1,000 per cent, much of this at the Government's expense. From the Steel Trust on down through the textiles, munitions, firearms, auto trucks, and all the war paraphernalia, the same exorbitant profits were made. Consequently, I believe that a new and efficient system of distribution should be devised to handle shoes, clothing, implements, and all other necessities of life, as well as farm products.

What does this show? It shows that there should be some limitation of profit, some regulation of price, not only for the raw material, but for the finished product. There should be a fair profit for handling the goods and manufacturing it, but waste and useless speculation should be eliminated. If the Government continues control of flour as well as of wheat the consumer will pay less for his flour, in spite of $2.26 wheat, than he would have paid if the Government ceased to maintain its restrictions. Many State and Federal authorities state that with $2.26 wheat flour should sell for $8 a barrel after making allowances for all by-products and for a liberal profit.

And $2.26 for wheat is not so high when one considers that Italy guaranteed $4.44 to its farmers for the 1919 crop; France guaranteed $3.84; Switzerland $3.18; and Norway $4.09. Some people seem to be persistently complaining about the $2.26 guaranty for American farmers, when it is only a little over half as much as guaranteed by other nations to their producers of wheat.

THE POSTAL MARKET.

Among the many proposals that have been made to develop an efficient system of exchange between the farm and table is the postal market or Federal food exchange. Here in the Capital, at Washington, D. C., the plan is being worked out. The Government is using some of the thousands of motor trucks which will soon be released from the National Army. Community centers are being established, and there is the closest cooperation between the farmer and buyer. All unnecessary distributing agencies are eliminated. Instead of costing from $2 to $5 to deliver $1 in products, it costs only 10 to 15 cents. It is a complete reversal of the inefficient methods of the past. This is one real remedy which rings true with definite results.

Legislation should be passed at once allowing the Post Office Department to extend the parcel post to enable it to establish the postal market or Federal food exchange throughout the country. This would eliminate useless profiteering in the products of industry and agriculture and give the actual producers a greater share in the fruits of their toil. Legislation is required at once to give the Government a rigid control of stockyards, grain elevators, warehouses, cold storage, and other terminal markets. Provision should be made in all Federal laws for the closest cooperation with the States which may in the near future build their own State-owned elevators and flour mills. Municipal governments should also establish receiving warehouses, depots, cold storage, and markets, and all legislation should be drawn so that there will be provisions for the closest coordination among the cities, States, and the Federal Government.

Can we not learn something from our methods during the war? The Army saved $6,000,000,000, a good-sized liberty loan, by its methods of buying. It effected tremendous savings in the purchase of food. Can we not take a hint? Can we not learn the lesson?

Out in North Dakota when our publicly owned elevator and flour mill are completed the consumer will get two barrels of flour and a dollar bill besides, where he received only one barrel in May, 1917, and the farmer will get more for his grain, too. That comes of eliminating the cost of speculation and excessive handling.

Somebody is making big profits. That is what one hears everywhere. Who is this somebody? "Not we," say the farmers. "Not we," say the packers. "Not we," say the manufacturers. "Surely not we," say the railroads. "We can scarcely live," justly declare the retailers. Yet somewhere in the process of distribution the price mysteriously quadruples.

What is the answer?

The effective answer seems to be to take the marketing problem into our own hands, as Washington is doing in many ways; as Detroit is attempting to do; as Cleveland has tried to do. Seattle has invested $7,000,000 in wharves and storage. New Orleans has its own grain and cotton terminals, built at a tremendous cost. Australia, New Zealand, Norway, and even conservative England are doing it. Public ownership and control has passed the experimental stage.

A hundred years ago the man who advocated the public school was a "socialist," according to the wealthy Tories. Parcel post was called paternalistic. Twenty years ago the man who advocated municipal ownership was dubbed "an extremist," "a visionary," and "a socialist." The men who handle our marketing have failed to give us an economical system. It is extravagant and wasteful. We must eliminate the useless and unnecessary speculators. Just as the people did in the cities when private corporations monopolized the public utilities and charged exorbitant rates for light, gas, and water, the producers are eventually going to take complete control of the marketing facilities. Then, and only then, will we unclog the channels of trade and have economic freedom.

The saving accomplished by a new marketing system would be tremendous. It would provide attractive and profitable employment for the soldier boys on their return. The success of the plan of Secretary Lane's land projects for soldiers is contingent upon a marketing system that will make farming more profitable than it is now. The postal market would increase the farmers' income. Someone will say that he is getting rich. I answer that by asking, "Why are the farmers leaving their farms? Why can you not get people to go back to the land?" Good marketing conditions will open a field of splendid opportunities to our victory veterans.

All of these suggestions and many more are absolutely indispensable to make farming a respectable and profit-earning industry. With the saving and prosperity that would come through these changes in our economic life the people could give their children greater advantages of education. Community interests would spring up where there would be greater cooperation between the farm and city. The farmer, his wife, and family would enjoy greater opportunities along educational lines as well as social. Amusements, now exclusive to city life,

could be extended to the country. A country theater is as important as the city movies. I am proud to say that my State is a vanguard in this special movement. Life would not be a drudgery on the farm but a pleasure. The returned soldier would stay on his farm. Agriculture is the fundamental industry—the basis of all credit and national prosperity—and should be made more profitable and attractive. [Applause.]

Our Naval Program.

SPEECH
OF
HON. JAMES C. WILSON,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WILSON of Texas. Mr. Chairman, I want it distinctly understood that I am not undertaking to answer the distinguished gentleman from Virginia [Mr. SAUNDERS]. [Mr. SAUNDERS's speech appeared in the CONGRESSIONAL RECORD of date of the 6th day of February, 1919.] I would not assume that I could do that. I am speaking now simply because this is my time to speak on this program. The remarkable thing is that the gentleman in his discussion calls for all the facts that might have actuated the President in recommending this three-year naval construction program, and he demands to know all of those facts. In other words, he not only favors open treaties openly arrived at, but it seems he does not want us to take any steps or any action touching our relations with foreign nations without disclosing all of the reasons that we have for it to all the balance of the world. Here there is an irreconcilable difference between his view and mine. I can only speak for myself, but think, as a member of the committee, I have all of the information concerning Secretary Daniels's telegram to the President and the President's reply possessed by any other member, and the gentleman knows as much now about the reasons for the President's action in recommending at this time the proposed naval construction program as any member of the committee knows. Every Member of this House knows all there is to it, and that is merely that the President in a telegram reiterated his desire for this three-year program. That is all. The President, of course, did not wire all of the facts or arguments. I believe I know what caused him to urge it at this time, but will enter into no discussion of that.

The first words of the Secretary of the Navy, Mr. Daniels, to our committee on this subject were:

No step backward, but a long step forward should be taken by this Congress in strengthening the American Navy. The additional three-year program recommended in my annual report is a conservative one, intended to continue the policy of the steady upbuilding of the Navy established in 1916.

No nation who witnesses what we are doing has a right to wonder at it or to question our motives or friendship, or to become alarmed, since we are merely carrying out a policy with reference to building a navy that we, after a bitter fight and long consideration, decided upon in 1916, and which at that time attracted world attention.

Prior to the time the Secretary of the Navy appeared before us the President recently had expressed himself in favor of this program. For my part, I knew that both the Secretary of the Navy and the President were at heart truly pacifists in the highest sense, entitled to and commanding the respect of the whole world. In other words, that they were both men who, in order to get peace, would appeal to every sense of justice, right, fairness, humanity, and reason; but I knew also that if they could not get it by such peaceful negotiations they were both men who would fight you in order to get it, and I was glad to know that. I had confidence in them. This very characteristic made the President a great leader for us when struggling to keep out of the war, and later, when forced to enter it, to lead us into war, and during the time we waged war. It brought to him at once the support and confidence of all true Americans of every type.

I knew that the President especially and the Secretary on this subject were in touch with our foreign affairs; that they possessed knowledge that should not be given to the public, and to give all the facts to this Congress would be giving them to the entire public. Our people are entitled to trust all right, but the trouble is if everybody over here knew everything about our foreign relations it would follow that everybody in all the balance of the world would know the same thing. So, as far as I am concerned, as soon as this was proposed to our committee I offered a resolution declaring that it was the sense of our committee that we approve generally of the building program submitted by the Secretary. The balance of the committee decided that my suggestion was premature, and I am not saying that at this time it was not; but I was very glad later to see all of the committee come unanimously to the same view and for the same reason that I was for it in the beginning, or mainly for the same reason, and that is that the President is urging it. That is the truth of the business. We might as well be frank about it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. WILSON of Texas. Not for the present, please.

The CHAIRMAN. The gentleman declines to yield.

Mr. WILSON of Texas. Of course, in addition, I had the reasons so ably assigned by the distinguished gentleman from Washington [Mr. MILLER] the other day in his address to the House, and those so forcibly and eloquently presented by the gentleman from Michigan [Mr. KELLEY]. And in addition to that, I am naturally inclined to a pretty good-sized Navy. I do not care much about the Army, as to the size of it, and never did. Though we are a peaceful people and love peace above everything else, we have demonstrated several times that we can get warlike and shape up for war as fast, if not faster, than any other nation on this earth. I do not take any stock in all this talk, more current now than I have ever known it, that we are going to have to fight the laboring people. In other words, I am not so much afraid of home folks as I am of outsiders. I suppose I succeeded in the House about the least Navy man that ever sat in it, and since I have been here I have been voting every chance I got to provide us with a pretty big Navy. But the chief reason with me is that the Secretary of the Navy and the President want this thing. I was opposed to telegraphing the President.

Mr. SNYDER. Will the gentleman yield right there just for a question?

Mr. WILSON of Texas. All right.

Mr. SNYDER. There has been considerable said about this telegram received from the President. I have understood that it was brought out by a telegram sent to the President by the Secretary of the Navy. The gentleman being a member of the committee, I should like to ask him if he or any member of the committee is familiar with the telegram that the Secretary of the Navy sent to the President.

Mr. WILSON of Texas. I did not hear the statement made by the chairman of the committee [Mr. PADGETT] the other day, and if there is any dodging to be done, I am going to let him do it.

Mr. PADGETT. I have already stated fully to the House what the Secretary's telegram to the President was; not the words, but the substance, and it is in the RECORD.

Mr. SNYDER. I thank the gentleman.

Mr. WILSON of Texas. I am glad to know that. For my part I was opposed to sending that telegram, because, as I said, the President was over there on the ground in touch with them. He knows what we are doing; he it watching us daily; and if he did not want it he would say so without any telegram.

Mr. CAMPBELL of Kansas. Now, will the gentleman yield for a question right there?

Mr. WILSON of Texas. Yes.

Mr. CAMPBELL of Kansas. On the day the President's telegram was made public in the United States he made a speech in the French Chamber of Deputies, in Paris, in which he congratulated the deputies there assembled and the world that there would now be a diminution of armaments throughout the world, relieving the people of that great burden. Now, as a Member of this House, I want to know his impelling reason—why, at the same time he is congratulating the rest of the world that they could disarm, he should be urging us to arm? Can the gentleman give us the reason for that?

Mr. WILSON of Texas. In order that the speech of the President be not misconstrued, I am going to ask permission now to print it in full in to-day's RECORD.

The CHAIRMAN. The gentleman asks leave to extend his remarks as indicated. Is there any objection?

There was no objection.

Mr. WILSON of Texas. Our President needs no defense from anyone, but since this question is raised it is proper that his speech should go into the RECORD while we are considering this bill in order that it may be reconciled with his recommendation

by gentlemen who want to, and in order that excerpts from it may not be taken and used by anyone to create confusion and misunderstanding and the impression that the President is not consistent. The speech was made in the Chamber of Deputies, at Paris, the 3d day of this month, with official France present.

[The President's speech appeared in the RECORD of date February 6, 1919.]

Mr. MANN. Will the gentleman yield?

Mr. WILSON of Texas. Yes; but the gentleman is taking up my time.

Mr. MANN. The gentleman made a request to insert something in the RECORD. Will he not insert in connection with it the President's cablegram?

Mr. WILSON of Texas. I should not feel authorized to do that unless the chairman of the committee or the gentleman from Pennsylvania, Brother BUTLER, will consent to it.

Mr. BUTLER. You tell it.

Mr. WILSON of Texas. There is nothing to it more than the request. It repeats the request. Some points are emphasized. There are no facts given, and we know no more than the rest of you. I do not doubt for one moment but what Mr. Lloyd George himself and the foreign minister, Mr. Balfour, are in perfect accord with the President's recommendation. The relation between the President and Mr. Balfour and Mr. George is an intimate one—of the very closest friendship.

It was my great privilege when recently in England to meet and talk to Mr. George, and with what I knew of him along with what I saw I was able pretty well to size him up. He and the President are of a type; above everything else they want justice and right. In the peace conference they are natural friends. It was my great privilege also in the House of Parliament on the occasion of a banquet given to us by members of the House of Commons to talk to Mr. Balfour about an hour. He is as great an admirer and is as devoted to the President as any of us in America. He and the President were intimate and devoted friends before the President went to Europe. At the peace conference at Paris any relation between these three men other than an open, perfectly frank, and fraternal one is unthinkable to me. We can not judge by what the newspapers in England are saying about this proposed building program of ours. I do not doubt for one minute but what England favors disarmament just like we do, nor that she would hesitate to favor any possible step on her part, or any step of ours, that might be looking to disarmament. It is inconceivable to me that the President could be in the midst of these things happening at the peace conference, in constant touch and association with these gentlemen, and not talking some to them about it.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. WILSON of Texas. Yes.

Mr. BRITTEN. Is it not probable that the great American naval program is likely to bring about disarmament?

Mr. WILSON of Texas. I think so.

Mr. CAMPBELL of Kansas. Would the gentleman be willing to state that there is any agreement between England and the United States that they shall provide a great police force on the seas that shall safeguard the world?

Mr. WILSON of Texas. No; I do not claim to know the actual facts. I do not ask to know, nor want to know. I merely reason about it. That it is like a bunch of us gentlemen together; talking and elbowing with each other every day; good friends, believing in each other, as I know they do; having confidence in each other; working in harmony with the same ultimate purpose of doing the right and the best thing—that it would be inconceivable that they are not in touch on this very subject. Otherwise, it strikes me that these gentlemen would really, as some London papers seem to, look upon the President with more or less distrust. They really should not do so for the reason that the President has said emphatically that we should not shape our affairs at home to fit an international policy that has not yet been decided upon. But some over here who do not know any better—and many over there, it seems—think that this naval building program of ours is aimed at Great Britain; and with all that is being said in the papers, if the President is advising disarmament over there and advising arming to a greater extent along naval lines over here than ever, and was at the same time standing aloof from the British representatives on this subject, it would naturally cause them to question the President's motives and sincerity and would breed more or less distrust in the hearts of Britishers for us. I am sure no such feelings have been aroused, and I am sure we will have no serious disagreement with Great Britain at the peace conference. I would not be surprised at all if our President is not more intimate with the British than any other delegate at that conference. For my part I believe they are in agreement on this very subject.

Mr. SNYDER. Will the gentleman yield?

Mr. WILSON of Texas. I can not yield further.

Mr. SNYDER. Just one question.

Mr. WILSON of Texas. Very well.

Mr. SNYDER. The gentleman says that it is inconceivable that the President would be with Lloyd George and Minister Balfour without their knowing something about this proposition. I was wondering if it was inconceivable that the President should be there and not be advised as to the embargo which England has put on certain articles of commerce.

Mr. WILSON of Texas. That shows that I was unwise in yielding to the gentleman, because he wants to get me off the subject. [Laughter.]

The other subject touched upon by the distinguished gentleman from Virginia was the scarecrow about Great Britain—that we are fixing to fight Great Britain. In the same way the gentleman from Alabama [Mr. HUDDLESTON]—and I do not question his sincerity nor the honesty of his purpose—almost scared us to death the other day about that, and said that Great Britain would never submit to our building a larger Navy than hers unless we did it over the carcass of the British fleet. He also styled this proposition a bluff, and said that Great Britain would not let us get away with it. It is amusing that some people even over here will still accuse this Congress of bluffing. When we declared war pacifists and pro-Germans over here styled it a bluff. When the President pledged the resources of this country to the last man and to the last dollar, it was a bluff.

When we offered legislation providing for loans into the billions to our allies, that was a bluff; but we let our allies have about $8,000,000,000 during the war. When we passed conscription in order to get an army, this was denounced by these same pacifists and pro-Germans as a bluff, and also by our enemies over there, and the conclusive proof cited was that we knew that we could never land a soldier in France. When we proposed to build sufficient ships to carry our soldiers over there, this was a bluff. When we appropriated $650,000,000 for aircraft, this was scoffed at as the bluff of bluffs on the part of America. We declared war April 6, 1917. It was not until the latter part of August, 1918, when we had loaned to our allies nearly $7,000,000,000, and had nearly 2,000,000 soldiers in France, and American-made airplanes were coming into every port in England and France by the hundreds daily, and we proposed the second conscription act calling up for registration an additional 13,000,000 men, that these fellows quit making the claims that America was bluffing. They knew then over here and over there that America had never been bluffing about anything. In America we do things on such a big scale compared to the European countries that it is not unreasonable for those people to think sincerely that some of our propositions had the appearance of a bluff, but there is no excuse for any intelligent man in the world, and particularly any man in this Congress, now making any such ridiculous claims. If there is no provision for disarmament at the peace conference, how could Great Britain help herself if we wanted a larger navy than hers? Considering our comparative resources and ability for shipbuilding, in a contest of this kind with America, Great Britain would be like a child in a contest with a man, and she knows this much better than we do.

But I said I was not afraid of the laboring people, and I am not afraid of Great Britain for the same reason. I think she is the best friend we have in the world, France not excepted. [Applause.] I have more faith in her as a friend, and God knows I love France. I told my constituents in a tour of my district last fall, after returning from Europe, that if we had to have just one ally, and it was left to me to select it, I would select Great Britain. Not one handclap did I get on that. If I had said France, they would have torn down the house. I had a purpose in saying that, and everywhere I went repeated it, but at no time did I get a sign of approval. We should break down the prejudice that exists in the hearts of many of our people against Great Britain. In fact, it is a little hard to account for this. We do not teach our children to hate Great Britain. I think it is merely because of the wars they read of that we have had with Great Britain. But after this it will be different. They will read about the history of the Revolution and of the War of 1812, but they will come on down and at last read of this war, where Great Britain and America stood by each other and died together on the battle fields, and standing together saved each other and saved civilization. Too, they will read such things as the President said about Great Britain in his speech before the French Chamber of Deputies the other day. He said:

Now look what has happened. In that far-off day when France came to the assistance of America, America was fighting Great Britain, and now she is linked as closely to Great Britain as she is to France. We see now how these apparently diverging lines of history are coming together. The nations which once stood in battle array against one another are now shoulder to shoulder fighting a common enemy. It was a long time before we saw that, and in the last four years some-

thing has happened that is unprecedented in the history of mankind. It is nothing less than this, that bodies of men on both sides of the sea, and in all parts of the world, have come to realize that comradeship in freedom.

There will not be so much prejudice against Great Britain hereafter, and in my judgment she will forever be our best friend. I am an optimist on the subject of our ever having any serious trouble with Great Britain.

In fact, I am an optimist on the subject of our ever having any war with any nation. I have no sympathy with all this talk that human nature is the same; that it never has changed; that it never will change; and that nations will go on occasionally cutting each other's throats over matters where the application of reason and fair treatment and justice would settle the dispute out of war. And yet I am for this big Navy. I do not see any indication that I am going to die within the next 20 years, and yet if you knew my private affairs, and that is true of all of us, you would think each day that I expected to die to-morrow. There are certain things about which we can not afford to run great risks or take great chances, and certainly for the present we should take no chances as to our country being prepared to take care of herself in the event war should come.

I think the peace conference at Paris is going to be a success, and particularly on the subject of eliminating future wars between nations. We will continue to have internal wars and troubles, of course, but I do not believe after the work of that conference has been completed that an issue will rise between any two nations leading to an argument, next to a dispute, and to a quarrel, to bitterness, and then on into war. Of course, my belief in such a future as this is based on the prayerful hope of a league of nations; that some sort of a binding covenant will be entered into by the civilized nations of the world looking to the prevention of war. I have never believed in anything quite so strongly, it seems to me, as I believe in this. It is a great task, of course, but there is no sane reason why nations could not come together in some adequate agreement to prevent duelling among themselves over questions of honor and end it forever, the same as it has been ended in this country between individuals. I believe this league of nations when formed should provide for force and for the use of it in the extreme emergencies, and would not have too much respect for any league of nations that might be entered into unless it did make such provisions.

The Farewell Address of Washington is cited with great assurance by many as an authority against all of this. I have been wondering if Washington had lived during the last hundred years and during this last war, and had seen this country grow from practically an agricultural community to the position of the greatest world power, if they would say that he had learned nothing during those hundred years; if, facing present world conditions, do they think he would be willing to stand upon every word of that address; that he would have undergone no change of views, not in a single particular? Reading that address in the light of the times in which it was delivered and facing the conditions as he faced them, it seems that every word was full of wisdom. It is not improbable if he were with us that he would say, "At the time I delivered that address to the American people I was facing altogether different conditions, and the different conditions of this day have brought about as great a change in my views." Touching upon our foreign relations, there is one thing he said in that address that was wise then, is wise to-day, and there will doubtless never be a time in the history of America when it will not be wise, and that is that America should have as little to do with the politics of Europe as she possibly can. I am sure our President has this in mind, and that this is one of his purposes. Following the advice of Washington, the question is, How little is it possible for us to have to do now and from here on with the political affairs of Europe? The policy of no entangling alliances, followed for over a hundred years, brought us into this most awful war of all history, and there was no honorable escape for us. It was an evil influence that had grown up in Europe that forced us into it. Now it seems plain, if we can with a reasonable outlay of effort and money forever prevent the existence of any such influence that might lead us again into such a war, that it is our plain duty to do it—at least, to try—to make a real genuine effort. If it should fail, it will do no more than the policy of no entangling alliances.

I have no sympathy with the selfish American policy now being preached by many, and preached more in this Congress, it seems to me, than anywhere else in all the world—this terrapin foreign policy—that we should draw back our head, clamp down our hull, hump ourselves up in our selfishness and exclusion, and remain so until some one comes along and prods and prods us until we are compelled to move out again. Of course, we should be more selfish for America than for any other country; but from a selfish standpoint we can not afford to refuse to enter into some sort of an agreement with the other nations of the world looking to the prevention of our ever being drawn into another world war like this one. Being more selfish for America than for any other country does not relieve us of the duty of discharging the great responsibilities that the end of this war has left upon us. The American people are going to be with our President in his masterful fight in this direction. They are not going to be left without hope; they are going to demand that something be done upon which they may base the hope that this thing can not occur again. The 7,000,000 dead on the battle fields of Europe would vote for this league. Their mothers and widows would vote for it. They would say, "Give us something, that posterity may be saved from our fate."

I can not understand the motives of men who oppose the views of all those at the peace conference at Paris. I can not understand what they hope for. I was on the western front from Lorraine practically around to Belgium during last summer and while the allied great offensive was on. I saw the awful horrors of that war. I saw our dead mangled in every conceivable form. I saw hundreds and hundreds of destroyed cities in France and Belgium. I witnessed some of the great battles that were raging on that front. I passed by acres and acres of dead. It was enough to strike horror to the heart of any sane man. In sight of all this blood, of all these millions of dead, of all the devastation, of all of the waste of the world's wealth, it is inconceivable to me how any man could oppose the President when his only and sole purpose is, in the matter of the league, to prevent that thing ever occurring again. I have had the lesson impressed so often in my own experience and observation that a man is never utterly without hope of accomplishing a thing until he himself quits, refuses to make any effort or attempt. Those who oppose the league idea can only have in mind a continuation of the old system of the competitive building of armaments, which always has meant war and will always mean war and more war. The continuation of this system should strike horror to the heart of every man for the reason that it only means war in the end.

One might think it strange or inconsistent that I should have these views and at the same time stand here advocating the building of this great Navy. My position is simply this: If the nations in conference at Paris do not enter into the league for the prevention of war and refuse to make provision for disarmament, and we are to continue under the old system of having wars occasionally, then I am strictly in favor of America being prepared, fully prepared, to whip any nation that she gets into trouble with. In the event they do enter into such an agreement, then, and not until then, the happiest provision of this bill is the following section:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishment of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

[Applause.]

The CHAIRMAN. The gentleman's time has expired.

The Present Administration.

EXTENSION OF REMARKS

OF

HON. JAMES C. WILSON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. WILSON of Texas. Mr. Speaker, on the occasion of the visit of the Federal Farm Loan Commission to my home, Fort Worth, Tex., November 15, 1918, the chamber of commerce tendered a luncheon to Mr. McAdoo and the other members at the Fort Worth Club. I was toastmaster, and as such made two short talks, as follows:

"Ladies and gentlemen, we have in the United States a man, just a plain man, whom history will write down not only as America's but as the world's greatest son; not because, in heart qualities, he is comparable with the Father of his Country; not because his powers of constructive statesmanship are equal to those of Jefferson; not because, when he knows he is in the right, he possesses the courage and the indomitable spirit of

Jackson; not because in the democratic simplicity of his life and statesmanship and devotion to ideals he is the peer of the universally loved Lincoln; but for that higher and nobler reason, through his interpretation of the spirit of our people and institutions, he is impressing mankind, as never before dreamed of, with his, and our, undying devotion to and with his elevation to the serious and favorable consideration of the world's best thought, the sacredness of the simple proposition of a human right everywhere, the world over.

"In the name of Fort Worth and of Texas, I propose a toast to this matchless man, our President, Woodrow Wilson."

Here the audience stood in silence, with glasses lifted, a few seconds, after which I continued as follows:

"When one deals with the finances and the financial system of America he deals with the heart, the arteries, the veins, the very blood of the Nation, the gold and silver constituting the red and white corpuscles of that blood. It takes a great national specialist, a great surgeon, to operate upon a body politic such as this United States of America, changing that system, without administering chloroform, without shock to the nervous system, without a backset, while that body is moving on in its throbbing, mighty purposes at home, and to the accomplishment of its God-planned mission among the nations of the world. Just such an operation—as new and startling as the processes of grafting or transfusion—was recently performed upon America in the establishment of the Federal reserve banking system. The chief surgeon who attended America in that operation is with us to-day. I have the pleasure of presenting to you, judged from the standpoint of service to the Nation, and rightfully they can be judged from no other standpoint, the greatest Secretary of the Treasury in the history of America, William G. McAdoo."

We did not enter the war until about six months subsequent to that occasion. During the war the greatest burdens borne by any Americans were borne by these two officials of our administration. The achievements of this Congress and the achievements of this administration, the ending of the war, leaving upon us such great responsibilities, and the occurrences now at the peace conference at Paris, have only served to put a world spotlight at this time upon these very truths concerning these two great Americans, and so much so that I almost feel that the things I said about them in 1916 were prophesies that we have more than fully realized.

Since I am soon to resign from Congress to take up the work of the Federal bench in my State, it was my desire to extend my remarks upon the effect that the course of our President has had, and will have, upon world affairs, and the effect Mr. McAdoo's services as Secretary of the Treasury has had upon the financial system of America and as to the position in which we now find ourselves as a financial world power, but instead concluded to insert in the RECORD the views I entertained toward them prior to the beginning of their tasks in connection with winning the war.

The Late Representative Meeker, of Missouri.

MEMORIAL ADDRESS
OF
HON. WILLIAM L. IGOE,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. IGOE. Mr. Speaker, we meet to-day to pay tribute to another deceased colleague of ours, Mr. MEEKER, who served in this House from the tenth district of Missouri. I knew Mr. MEEKER for many years, and became quite intimately acquainted with him during our service together in this House. He had taken a prominent part in the discussion of public affairs in St. Louis prior to his election to Congress, and after he arrived here he became one of the hardest working Members of this House. The district that he represented contains almost 500,000 people. Those of us who represent districts containing 200,000 and 250,000 people know how much work devolves upon us, and I know from my visits to him that he was engaged day and night attending to the work of the constituency that he represented. He was a man of ability, and he stood by his convictions, and, whether it was in his own party or with another party, he made a fight for what he believed to be right. I recall very well the time the declaration of war was being voted upon. Mr. MEEKER was at that time very ill and unable to be here, and he sent word that if his vote was needed he wanted to be sent for and brought here to vote for the declaration of war. He might well have allowed the matter to go, because everyone knew that he was desperately ill, but he wished that record made. And just a day or two before his death I received a telegram from him stating that he wanted to be recorded as supporting the last war measure which was voted upon before his death, the great appropriation for carrying on the war. Mr. MEEKER was a hard-working, conscientious Representative. He differed radically and greatly with many Members of the House and with many people in St. Louis, and yet he was returned here by his people by a tremendous majority, and, as stated by the Speaker, I believe, he could have continued to represent them in this House for many years. There were, as in the case of the distinguished Senator of whom we spoke, many who differed radically with him, but I think that all will concede that Mr. MEEKER was a man of ability, forcefulness, energy, and, above all things, anxious to render genuine public service to his people.

Embargo on Cotton and Cottonseed and Peanut Oils.

SPEECH
OF
HON. HENRY B. STEAGALL,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 24, 1919.

Mr. STEAGALL. Mr. Speaker, it is true, as suggested by the gentleman from South Carolina [Mr. BYRNES], that if we strike out the provisions of this bill making appropriation for the War Trade Board the board would be without funds to operate after the end of the fiscal year—June 30, 1919. It would seem, at first glance, that this would accomplish all that is contemplated by the amendment offered by the gentleman from Georgia [Mr. BRAND], providing that no funds shall be available for the support of the War Trade Board until the embargo on cotton shall be lifted, which by the terms of the amendment offered by myself has been made to embrace cottonseed and peanut oils. I agree with the gentleman from South Carolina [Mr. BYRNES] that striking out the whole fund for the support of the War Trade Board would accomplish the same result so far as the appropriation of money is concerned as would be the case under the limitations fixed by the amendment offered by the gentleman from Georgia [Mr. BRAND] and myself. But the adoption of this amendment would be a specific declaration of the Representatives of the American people in Congress in favor of the removal of the embargo, and I, for one, believe the President would give instructions to the War Trade Board to respect their wishes and remove the restrictions and limitations now imposed upon American products.

The farmers of the South suffered a reduction in the price of cotton in 1914 that resulted in widespread bankruptcy. It all came about as the result of the cotton producers being denied access to the markets of the world. England established a blockade on cotton against foreign markets that were purchasers to the extent of three to four million bales annually. In the terror and suffering of the moment appeals were made to Congress to take steps to enable the holders of cotton to carry it through that trying period and to save them from being forced to sell when the price had sunk to a basis vastly below the cost of production. But this appeal was answered with the statement that it was not a matter with which the Government had or should have anything to do.

I do not say that the citizen should rely upon the Government in ordinary times to find a market for his products or to become purchaser. I believe in the old Democratic doctrine that the Government should govern as little as possible in everything and allow the citizen a free and fair chance, protecting

him in the right to produce to the fullest of his ability, and sell his products in an unrestricted market under the law of supply and demand. The citizen has a right to expect that much. That is all the farmers of the South ask to-day. That is all that is sought to be accomplished by the removal of the embargo on farm products. They ask no special favor of the Government. They only insist upon the right to toil and produce and ship their products to the markets of the world that they may support their families, pay their taxes, and sustain the credit of their Government.

Let us see what the situation is. Last fall cotton was selling at about 38 cents a pound, and this notwithstanding it was being denied access to the markets of the world. Then the War Trade Board began to discuss stabilization of the market. They began to give out statements to the effect that they were going to investigate conditions with a view of fixing a price. Of course, any man with the least practical business sense knew the effect such agitation would have, though it is well known the War Trade Board had no authority whatever to fix a price on cotton. But they succeeded in hammering down the price about $40 a bale, and when that was accomplished the agitation terminated, and the board admitted they had no authority in law to fix a price.

The last crop is shown to be only a little over 11,000,000 bales. In normal times the United States consumes half the crop. We have consumed in this country already over 3,000,000 bales of last year's crop. There are less than 6,000,000 bales available now to meet the world's demand. The demands of foreign countries are approximately 8,000,000 bales. Why is it then that cotton at the present time is selling at a price below what it costs to produce it?

We hear a great deal about the cotton exchanges and their unfair methods. I have no doubt whatever that they are operated in a way to beat down the price. There can be no other explanation of the system by which they are able to hold down the future market $25 a bale below the spot market. I am in favor of legislation to correct the evils of the exchanges. The system by which they offer a purchaser unmarketable and unspinable cotton ought to be penalized and this and other abuses corrected or the exchanges should be abolished. But we should face the facts as they are and not attempt to evade or cover the situation by abuse of the exchanges. The trouble with the cotton market is that countries that need cotton and want to buy it are not allowed to have it. The War Trade Board has adopted a system that limits exports so that every nation is rationed a certain proportion of what is required, and Germany and Austria are not allowed to purchase at all, though they need at least 3,000,000 bales. If the War Trade Board would hands off and allow cotton to go to the markets of the world unhampered and unrestrained there would be a rush for it that would send the market soaring. The same thing is true of cotton seed and peanuts. The Government while guaranteeing a price on other things reduced the price of cotton seed from $83 to $69 a ton—at the same time forcing the farmer to sell his cotton seed or run the risk of prosecution for hoarding.

Yet, while reducing the price of cotton seed $14 per ton, the price of meal, which must be had for fertilizer, was increased $7 per ton. Linters which the Government was taking was suddenly reduced 3 cents a pound, making a loss of several millions of dollars. In the meantime the export of cottonseed and peanut oils was restricted under the rationing system, which determined the amount that might go to any country and by which none may go to Germany or Austria. Of course, we were all willing while the war was in progress to make any sacrifice to sustain our armies at the front and to protect the honor of the Nation. The South gave her sons to die in France, and they did not murmur at any financial sacrifice that was considered necessary. But the legislation authorizing an embargo against American products was only intended to be used as a military necessity to hasten the surrender of our enemies, and now that the war is over, the sooner commerce is resumed throughout the world the better it will be for all concerned, the quicker we may hope to recoup our losses, and the easier it will be for our enemies to make good all assessments to be levied against them to compensate the outrages they have perpetrated against humanity and civilization. It is not right to continue the restrictions upon the exportation of American goods and products to the detriment of the producers of this Nation in order that some of the nations of Europe may have advantage over others in the process of rehabilitation and readjustment.

Some time ago I took up with the War Trade Board the question of restriction of exports of cotton and cottonseed and peanut oils. In reply to my inquiry I have a letter, from which I quote:

The whole question of the extent to which the blockade of the central powers shall continue to be maintained has been the subject of serious consideration by the representatives in Paris of the United States and the allies. We are informed by them that for important political and military reasons it is regarded as highly desirable for the present to continue the blockade in its main features, and that the immediate removal of the blockade would eliminate one of the most persuasive reasons for the acceptance by Germany of the terms of peace which the associated Governments desire to impose.

I submit that the proposition to restrict the exports of American products except for the purpose of aiding our military operations is a plain violation of the intents for which this dangerous and extraordinary power was granted. To attempt to continue it after the war has been won to secure a better settlement with Germany is a great injustice to the producers of this country. It is inconceivable that our allies would be willing to punish the farmers of this country in order to collect higher indemnities from Germany.

The farmers of the South gave their sons to die side by side with the soldiers of England and France. By their heroic service and sacrifice they forced the surrender of the mighty armies of the German Empire. It is indefensible now, since the war is over, that our people should be made to suffer that our allies may collect damages of Germany. The practical effect of the policy would require the producers of this country to assist Germany in paying indemnities to be assessed against her. This is an injustice that should not be tolerated by the American Congress, and if relief is to be had it must come through the action of Congress. The War Trade Board has indicated quite clearly what may be expected of them.

We went to war in defense of the right of the citizens of this country to travel the common highways of the ocean and to ship their products to the markets of the world. Since by the sacrifice of our treasure and the lives of the youth of this land these rights have been vindicated shall we allow the War Trade Board to deny us the fruits of our victory? I do not know what that board expects to do, but for one I insist that the Congress of the American people should see to it that they do not lose the benefits of the victory so nobly won. I do not believe the farmers of the South are blind to the facts. They know the situation. They know at last that they are not dependent alone upon one crop. They know that the present supply is far below the world's demands. They know that for the next year a crop of 9,000,000 bales will sell for more than a crop of 12,000,000 bales. They know, too, the value of the crop of grain and live stock that may be raised by the labor and expense that would raise the production of cotton to the point of depressing the market. They are going to hold the cotton on hand and grow less next year. They know that sooner or later peace must be declared and that export restrictions and limitations must be removed, after which there will be a rush for cotton such as has never been known since the days following the Civil War.

But I submit that the interest of the Nation as a whole requires, and simple justice to the farmers of the South demands, that all restrictions and limitations on the export of this great American product should be removed now. It ought to be done while yet some portion of the crop remains in the hands of those by whose toil it was produced and who are entitled to share in the benefits of the higher price to follow the removal of the embargo which must come in course of time.

EXTENSION OF REMARKS

OF

HON. CHARLES H. SLOAN,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On House joint resolution 154, authorizing the erection of a memorial in Washington to the memory and in honor of the various orders of sisters who gave their services as nurses on battle fields, in hospitals, and on floating hospitals during the Civil War.

Mr. SLOAN. Mr. Speaker, no appropriation is asked from the United States Treasury; only enough public ground here in the National Capital for the erection of a memorial to the devoted sisters who in the time of fratricidal strife in America saw no foeman, but only unfortunate brothers who in the tide of war had fallen sick, wounded, or dying, lent them comfort, eased their pain, or removed the death damp from brows far from wife, mother, and home.

While they were near no wearer of the blue or gray must pass without the ministering comfort which only tender woman's

hand can give. Were they able to be present, of no American soldier need it be said, as was written of the legionaire:

A soldier of the legion lay dying in Algiers;
There was lack of woman's nursing; there was dearth of woman's tears.

Strong men are buoyed up in battle by the inspiration of the charge and the shock of conflict, but then after cannon roar had ceased and the roll of musketry had lulled, when the smoke had cleared away, and the horrible revelation appeared of the battle between God's images, 'mid shriek of pain, prayer for succor, and dying groans, these gentle spirits, moving like animated benedictions among the fallen, ministering as only devoted women could to the weak, the suffering, and the dying.

Their work was not so systematically organized then as womanhood has wrought in the great conflict recently closed far overseas, but the miracles of mercy wrought by them in the Southland will never, and should never, be forgotten by the sons and daughters of those two great armies, whose members met as brothers on the war field, where the reddest sword must win.

Abraham Lincoln said of these sisters:

More lovely than anything I have ever seen in art, so long devoted to the illustrations of love, mercy, and charity, are the pictures that remain of those modest sisters going on their errands of mercy among the suffering and the dying. Gentle and womanly, yet with the courage of soldiers leading a forlorn hope to sustain them in contact with such horrors. As they went from cot to cot, distributing the medicines prescribed, or administering the cooling and strengthening drafts as directed, they were the angels of mercy.

The work of women during the present war, including the work of those who succeeded in the several orders of those whose work we would memorialize, should impress every Congressman and Senator with the propriety of the request involved in this resolution and remove all obstacles or objections, by vote or voice.

During the Mexican War the mercies of women on the battle field for the suffering, although the fallen had been battling for the lifeblood of father, husband, and friend, were sublimely shown. The simple Mexican women ministered to the florid northern foeman as they did to the suffering friend of more sable hue.

One of America's most beloved poets, writing of this, termed these women the "angels of Buena Vista."

But the noble Mexican women
Still their holy tasks pursued
Through that long, dark night of sorrow,
Worn and faint and lacking food,
Over weak and suffering brothers,
With a tender care they hung;
And the dying foeman blessed them
In a strange and northern tongue.

Not wholly lost, O Father,
Is this evil world of ours;
Upward through its blood and ashes
Springs afresh the Eden flowers;
From its smoking hell of battle
Love and pity send their prayer;
And still Thy white-winged angels
Hover dimly in our air.

The Late Senator Stone, of Missouri.

MEMORIAL ADDRESS
OF
HON. WILLIAM L. IGOE,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 2, 1919.

The House had under consideration the following resolution:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the families of the deceased."

Mr. IGOE. Mr. Speaker, my personal and intimate relationship with Senator STONE began only with my election to Congress. When I took my seat here in March, 1913, I had known him only in a general way and by reputation, as everyone in Missouri had known him up until that time.

I think the outstanding things in his character were his courage and his honesty. He rendered great service as a Member of this House, as governor of the State of Missouri, as Senator, and also in private life.

Members have spoken of his courage, and there is one thing I recall as a boy that he did in Missouri that required as much courage as was ever displayed by a public man at any time, and that was when, in the State of Missouri, some people undertook to set up a sort of religious persecution. It took courage for a man in public life to denounce it, but Senator STONE had no hesitation whatever in going from one end of the State to the other denouncing the movement as un-American, unfair, and a disgrace to the State.

There is no man, in my judgment, in the Democratic Party who is entitled to more credit for the success of the legislative program of the Democratic Party in Congress since 1913 than Senator STONE. He was a leader and a worker. He worked day and night as a member of committees of the Senate and he labored with the members of his party. He worked to make a record for the administration and carry out the promises that his party had made. He fought for his party; he believed in his party; and he fought for it because he thought it was an instrumentality through which the wishes of the majority of the people might best be carried out, and thus preserve the Government which we all love.

There are very few people, outside of Members of Congress, who served with him who know how devoted Senator STONE was to the duties of his office. He did not spare himself, and though at times in recent years his health was impaired, he did not slacken his efforts, but devoted his entire time to legislative matters, working far into the night. No one who came to his office for advice or assistance was turned away, and all were made to feel welcome. It was marvelous how a man so busy could find time to receive so many callers and give them his aid in satisfying their wants.

I had occasion many times in the last few years of his life to go to him for advice and assistance and talked to him in confidence when these great issues came upon us. Immediately preceding the war and the declaration of war itself I had occasion to meet him and to discuss matters with him. He never undertook, in my judgment, to lead any man along any course nor did he undertake to persuade them from doing what they conceived to be right and proper, and in all the criticisms that have been visited upon him for the course that he took, it seems to me that the men who are most bitter never did understand the greatness of his character nor the greatness of his love of his country. There is no man who ever served in this Congress who had a greater love for his country than did Senator STONE. Mr. Speaker, I hope that in the time to come that he will be remembered for what he was, a great American, a great Senator, a courageous man, and one who wished to serve the people who were generous enough to select him to speak for them. Mr. Speaker, we have lost a friend and the Nation has lost an able, honest, and courageous statesman.

EXTENSION OF REMARKS
OF
HON. JOHN M. BAER,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. BAER. Mr. Speaker, I desire to place in the RECORD a concurrent resolution passed by the North Dakota Legislature indorsing the general plan of a league of nations:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring the establishment of a league of nations to enforce peace and aim at promoting the liberty, progress, and orderly development of the world.

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further

Resolved, That certified copies of this resolution be sent by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

EXTENSION OF REMARKS
OF
HON. ALVAN T. FULLER,
OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. FULLER of Massachusetts. Mr. Speaker, under the authority permitting all Members to extend their remarks in the RECORD upon pending bills, I desire to make some observations concerning joint resolution No. 436, providing for the appointment by each Member of the House of Representatives of one secretary and one clerk, whose names shall be placed on the rolls and paid in monthly installments.

I know that an allowance of $2,000 for a secretary of a Member and $1,200 for a clerk is not an extravagant allowance provided a man takes care of the requirements of his constituents and the money is actually paid to a secretary and a clerk. I assume, however, that many Members will continue to hire secretaries and clerks at a less figure than the allowance and pocket the difference or utilize as heretofore the names of two relatives or one as "decoys" for the pay roll. I sincerely wish that we could reorganize the machinery and improve the methods of Congress so that it would function efficiently and economically and thus reestablish itself in the minds of the people. You will agree, I am sure, that we are facing the gravest crisis in all our history. The fight is on between constitutional government—law and order—and bolshevism. It should not be possible for newspapers and critics generally to make the perfectly true statements about Congress, which are and can be made. Every keen observer who comes to Washington can go home and prove to the home folks—and they do—that millions are being jimmied out of the Public Treasury for pork and patronage. No people, nor any class of people, ever thought in terms of revolution so long as they had confidence in their government. We, ourselves, have sown the seeds of bolshevism through our failure to be businesslike in conducting the legislative business of the Nation.

THE FRANKING PRIVILEGE.

The shameful abuse of the franking privilege by Members of Congress is reprehensible at any time, but in times like these, when the public is being exhorted to be thrifty in all matters, to economize and to deprive themselves of all but necessities, it seems particularly reprehensible that their Representatives in Congress, Members, if you please, of the greatest legislative body in the world, should waste millions of dollars in an abuse which smells to high heaven.

From time to time comments are printed in the daily papers all over the country referring to this abuse and that abuse in connection with the franking privilege. These items encourage the people, and quite justly, in believing that there is something "rotten in Denmark." It discredits Congress because it gives the impression that Representatives of the people in Washington enjoy privileges and perquisites of one kind or another that would not stand the light of day. This creates a lack of confidence and generates an impression that citizens are warranted in feeling that "each should be for himself and the devil take the hindermost," which is not the sort of an impression that should be generated by or concerning a self-respecting, high-minded body of legislators.

Now, Mr. Speaker, with your permission, I propose to enumerate a few illuminating facts that, with one-tenth as damning evidence, would lead you and me to demand an investigation of any industrial enterprise in which we might be interested.

Firstly, there is franked out of the House Office Building daily from 20 to 30 tons of mail matter and about election time this quantity is increased to 30 or 40 tons. One Congressman sent out 750,000 parcels of literature and one political party at one election sent out 55,000,000 speeches. I took the liberty the other day of calling on the superintendent who has charge of the clerks who send out this mass of stuff, and he stated that at times there were from 500 to 600 clerks employed doing nothing but packing free literature into free envelopes to be sent through the mails free of expense for Congressmen. He stated that these clerks could address and send out about 1,500 each in a day. I asked the man in charge how many parcels a Congressman could have, and he said as many as he liked. "Well," I said, "not a million apiece," and he said, "Yes." And then I inquired how many envelopes, and he said as many as a Congressman wanted. I asked him how about the printing, and he said, "No charge to a Congressman." And I asked him about the franking privilege, and he said these things were all franked out, and then he said, by way of offering a defense, that, of course, no Congressman, unless he were a damned hog, would take more than a hundred thousand.

Now, the object of my protest, Mr. Speaker, is to muzzle the "damned hogs" and to hamstring others of the "high rollers," primarily in defense of the Treasury and secondly in justice to the self-respecting element in Congress who feel that being a Congressman is a matter in which they could justly take pride rather than that they should be part of a body referred to as grafters and psalm-singing hypocrites.

I find it is quite the custom when a Congressman is running for election or wishes to have his name before the public because he aspires for some other office to flood his district or State, as the case may be, with all kinds of free literature. For example, one of our Congressmen a while ago desired to have his name considered in connection with the governorship of his State, with the result that he conceived the idea of sending out a nice collection of books to the voters of his State. He sent out 640,000 parcels of books in one day, and upon inquiry at the post office I found that the postage would have been to ordinary mortals 45 cents each per parcel. It is a simple matter in arithmetic to see that 640,000 parcels at 45 cents apiece cost Uncle Sam over $300,000 for postage. Of course, the cost of the books themselves would be greatly in excess of this amount. It is easy to see, with this illustration in mind, that individual Congressmen can easily abuse their franking privilege to the extent of a million dollars a year.

I found another Member of Congress who conceived the idea of influencing public opinion against preparedness by delivering speeches in Congress abusing the President and playing the German game—I do not contend that this Member received any German gold for delivering these speeches, but I do maintain that he earned it. These speeches were printed at Government expense; they were franked out to German peace societies at Government expense; and then, in addition, franked envelopes were included so that the German peace societies could in turn send them without expense to any individuals whom they thought fit subjects to influence by such propaganda. Can you imagine a more devilish scheme of undermining the morale of the people at their own expense, compelling them to dig their own graves, so to speak? On the outside of the envelope that this congressional Member utilized for this purpose I find the following notation:

> Preparedness. Let the truth be told. Public opinion must settle this question in the end, and there can be no public opinion of the question until the public knows the truth. The metropolitan newspapers and magazines, with few exceptions, have declined to state both sides of the question. The effort seems to have been to stampede the public into hasty action. Out with the truth. No great question like this can be determined without the facts.

How many American boys are lying out on Flanders field stiff and stark to-day as a result of such devilish propaganda delivered in the National House of Representatives and mailed into the homes of our citizens urging upon them the wisdom of combating a wild beast with gentle caresses and total unpreparedness?

If each Congressman abused his franking privilege once a term, as in the case of one of the instances I have cited above, it would make a total expense of $130,000,000. Now, when you realize that many Congressmen indulge in this monthly, the enormity of the abuse is at once apparent.

I have in mind a Congressman who was barely elected in a close district, whereupon he put into practice the plan of sending back a weekly letter to the voters of his district. He now has the district safely tucked away and, as a result of this gentle art of persuasion, he has been what might be called "popularly endorsed." The district is now "safe" for him. He now "runs ahead of the ticket." This district was close four years ago, but now it is "safe" by 7,000.

The Speaker of the House a short time ago in his birthday speech remarked on the fact that Congressmen now came to Washington for longer terms than they used to, and he ascribed this as a result of the primary system.

I would ascribe it in no small degree to the abuse of the franking privilege.

I have in mind a gentleman more ambitious, perhaps, than others for the intellectual development of his constituents by way of reading Government literature, who has been storing up every conceivable kind of Government literature for the past two years and who now has two rooms full. I suppose his idea is to literally flood his district at about election time. Personally I never before appreciated what the term "flood the district" meant. Apparently it means that literature printed at the expense of the people and transported at the expense of the people shall fall upon it "like the gentle rain from heaven."

Are our women, who are being exhorted to save a slice of bread a day; our children, who are asked to buy and sell thrift

stamps; and our men, who are being called upon to sacrifice their lives, going to be satisfied to allow abuses like this to continue? Can we ourselves afford to allow them to continue?

You may recall that in 1908 a commission, consisting of Charles E. Hughes, A. Lawrence Lowell, and Harry A. Wheeler, reported that mail franked out by Congress weighed 4,531,080 pounds, representing 9,007,574 separate pieces. The total weight of all first-class mail for the whole country that year was 157,502,610 pounds. Considering congressional franked mail as first class, which is only fair, as it goes out sealed, one gets an astounding comparison. The mail franked out of Congress in 1908 amounted in pounds to more than one-fortieth of that of the whole mail of the United States of America. My investigation would lead me to believe that the output of congressional franked mail has more than doubled since that time.

Postmaster General Hitchcock, in his annual report for 1908, states as follows:

> The unrestricted manner in which the franking privilege is now being used by the several Federal services and by Congress has laid it open to serious abuses, a fact clearly established through investigations recently instituted by the department. While it has been impossible, without a better control of franking, to determine the exact expense to the Government of this practice, there can be no doubt that it annually reaches into the millions. It is believed that many abuses of the franking system could be prevented, and consequently a marked economy effected, by supplying through the agencies of the Postal Service, special official envelopes and stamps to be issued on requisition to the various branches of the Federal service requiring them and such records to be kept of official stamp supplies as will enable the Post Office Department to maintain a proper postage account covering the entire volume of free Government mail.

The different ways in which the frank is abused demonstrates the essential secrecy of the system and its personal and political uses condemn it in themselves. A fine of $300 is imposed for the personal use of the franking privilege, and yet Congressmen violate the law with impunity. In this connection, if you wish illustrations, they can be found in abundance. I would not attempt to enumerate all of the expensive evils which grow out of the franking privilege, such as loading down the CONGRESSIONAL RECORD with political matter, free seeds, leave-to-print speeches, campaign documents, and so forth.

The suggestion made by Postmaster General Hitchcock in 1910 would seem to be a good one as a starting point. Certainly the overshadowing element of personal and party politics should be eliminated and the use of the frank restricted to public affairs. There should be the fullest publicity with reference to franking. I would require each Congressman to append a note to each speech or document sent out, stating the number being mailed and all other essential facts, and beyond question there should be some commission or committee representing the Post Office Department to see that Congressmen themselves obey both the letter and the spirit of the law.

Members of Congress in some instances have voluntarily submitted proposed mailing matter under their frank to the Post Office Department in advance, so that there could be no doubt of its coming within the legal requirements, but no Member of Congress is under any obligation to do this, and in the great majority of cases it is not done. In the absence of such voluntary submission, the department has no official means of knowing what Members of Congress are sending under their frank nor have they any means of keeping track of the quantity of franked mail sent by any Member or Members of Congress.

I have no desire to cast any aspersions upon the Members of Congress, but when so distinguished an authority as Mr. KITCHIN, the Democratic leader, in speaking on the river and harbor appropriation bill can say, "I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings," it behooves us to be not too optimistic in our estimate of human nature as it relates to Uncle Sam's money. I have no objection to a man being careless and trustful with his own money, but I counsel most scrupulous accounting and safeguarding of the people's money which we are sworn to protect.

Of course, I do not need to present a bill of particulars as to why Congress has come into such disrepute. The situation can be summed up in this: We have been wasting public money upon our own political upkeep; the franking privilege has been grossly abused; our processes have been essentially secret; seniority and sectionalism have assumed menacing proportions; the organization of the House has become almost wholly a question of spoils and perquisites; pork and patronage often outweigh all other elements in shaping legislation; the committees—probably, at least, half of them—are a needless burden upon the people, maintained only because they provide chairmanships and perquisites for the little oligarchy of Members in control of them. In short, we have become a kind of political stock exchange, gambling in pork and patronage, and that at a time when there should be and must be the very maximum of efficiency and economy if we are to deal adequately with the crucial issues of reconstruction.

We ought to reorganize the machinery and improve the methods of Congress so that it will function efficiently and economically, and thus reestablish itself in the confidence of the people. There should be—

First. A reorganization of the standing committees which will eliminate all that do not serve a useful and legitimate purpose.

Second. A responsible executive budget system to replace the present pork-barrel method of handling appropriations.

Third. A restriction of the franking privilege and publicity with reference to it, to the extent of having each user of that privilege state in each case the kind of material franked, its purpose, and the weight of the shipment.

Fourth. (a) The abolition of all clerkships not essential to public business.

(b) The placing of all clerks upon a public pay roll.

Fifth. Absolutely open meetings for all committees and conference committees.

Sixth. The election by each committee of its own chairman.

Seventh. The limitation of congressional business to matters that are national in scope, thus eliminating local and private bills which now congest Congress.

I believe you will agree with me that the machinery and methods of Congress must be made open, honest, efficient, and businesslike before we can hope to accomplish the solution of our legislative problems of reconstruction and rehabilitation in a manner satisfactory to the people.

I returned a short time ago from a trip through the war zone of Europe. A few of the details of that trip I am going to take the liberty of enumerating; and I wish in this connection that every Member of this House could have made a similar trip, because I believe he would have returned with a loftier conception of public duty and a higher sense of obligation to those men who have been willing to lay down their lives so freely that liberty might not perish.

TRIP THROUGH THE WAR ZONE OF EUROPE.

I am deeply conscious of the fact that in narrating my observations made on the French, American, and British war fronts the occurrences there are on such a tremendous scale that it would be quite impossible to attempt to adequately describe them. It says in the Good Book that a little knowledge is a dangerous thing, and I realize the fact that my conclusions are not infallible. I have, however, tried to set down things as I saw them and as they were reported to me, regardless of their possible inconsistency.

When my friends heard that I was sailing for France four days after the signing of the armistice, they smiled disdainfully. "The war is over," one of them reminded me. "There is nothing doing over there." "You will only be wasting your time," said another. And when I came back they greeted me with "You didn't see much, did you?" I told them that all I had seen was some 6,000,000 men under arms, including 2,000,000 of my embattled countrymen; a thousand miles or more of trenches; a region larger than Masachusetts, Connecticut, and Rhode Island put together which was as completely devastated as was San Francisco after the earthquake; fields littered with dead horses, shattered weapons, discarded equipment, and all the other débris of battle; hospitals filled to the doors with freshly wounded; balloons, airplanes, endless caravans of motor trucks, field guns, thousands upon thousands of them, and long-range cannon; American, French, British, Belgian, Canadian, Australian, New Zealand, South African, Indian, Algerian, and Moroccan fighting men; Foch, Castlenau, Petain, Nivelle, Gouraud, Clemenceau, Haig, Poincaré, King Albert, Lloyd George, and others whose names will loom large in history; a victorious and rejoicing France; a ravaged but liberated Belgium; a subdued and humbled Germany; and the spectacular ceremonies incident to the opening of that historic council which is shaping the destines of mankind and redrawing the map of the world. "Beyond that," I added, "I didn't see very much."

There are certain gratifying privileges incidental to being a Congressman. Being permitted to sail for France before the ink on the armistice was fairly dry was one of them. For you must understand that, although the fighting has ceased, the war will not be officially ended until the treaty of peace has been signed. Tourists and sightseers are not wanted in Europe at this time; the railways, the accommodations and the food are needed for other purposes. If, however, you are fortunate enough to hold an official position, and if you can convince the authorities in Washington that you have a sufficiently sound reason for going and that you are not likely to be either a menace or a nuisance, a special passport will be issued to you. Let me make it quite

clear that as a private citizen I probably could not have gone to France at this time, but as the Representative in Congress of a quarter of a million citizens of Massachusetts, I not only was permitted to make the journey, but I was afforded countless facilities and was shown innumerable courtesies by the officers of the armies and the officials of the countries which I visited.

I had applied to the Secretary of State for passports and letters of introduction, also to the Secretary of War and the Secretary of the Navy, with the result that every facility was placed at my disposal. The Secretary of War put me aboard *La France* of the French line, and I left New York on the 15th of November. I had read in the New York papers that the French were to enter Strassburg on the 25th of the month, and that Marshal Foch was to enter that city on the 28th, and I determined, if it was a possible thing, I would be in Strassburg on the 25th of November.

So it came about that four days after the representatives of a shattered Germany sullenly affixed their signatures to the armistice in Marshal Foch's private car in the chill of a November dawn, I stood on the deck of a great French liner, streaked and striped by the camouflcurs until it looked like a gigantic zebra outward bound for France.

Late in the summer of 1918 Mr. Ryan, the director of aircraft production, cabled from Europe that I was to be given charge of airplane construction in England. I was as happy as a boy at the beginning of the summer vacation. But after Mr. Ryan's return there was a series of maddening delays. The Aircraft Board wired me to go to Dayton, to Detroit, to New York, then back to Washington. Then, just when my commission was about to be signed, came the armistice! From the bottom of my heart I sympathized with the small boy who at bedtime rushed to his mother exclaiming indignantly, "Oh, mother, the nerve of Emily! praying for peace when father's just been made a captain!"

My trip across the water was uneventful. I found among my fellow passengers a most delightful person, who was no other than M. Delanney, the French ambassador to Japan. I took occasion to ask the ambassador if, as a result of his observation, the Japanese were sincerely proally. To this inquiry the ambassador replied very definitely, "No, sir," and inquired, "Who in the world thought they were sincerely proally?" Ambassador Delanney stated to me that the Japanese intended to support Germany, but after their commission visited here and saw how whole-heartedly we were going into the war they were afraid to do so. Ambassador Delanney stated that he sailed from Japan to Vancouver, and when the party arrived and learned the news that Austria had surrendered the Japanese members of the party were visibly disappointed. He likened the Emperor and the military caste of Japan to that of Germany. He said their methods and ideas and ideals were identical with those of Germany.

We arrived in the harbor of Brest on November 22. M. Delanney very kindly insisted that I should disembark on the launch which was sent out by the French State Department to meet him, which invitation I gladly accepted. As our ship steamed majestically between the fort-crowned promontories which guard the harbor of Brest, "the American port," as it is called, I leaned over the rail and watched, with a thrill of pride and patriotism, that magnificent panorama unfold before me. Here had landed Pershing and the immortal first contingent. Up those narrow, cobble-paved streets which lead from the wharves to the town had tramped 800,000 Yankee fighting men. Brest was more than the gate to France; it was America's gateway to the future. I was told that our troops had been taken ashore in lighters, long strings of them towed by tugs, with the bands playing and the sun glinting on their burnished weapons, and their boyish voices roaring out the chorus of "Good Bye Broadway, Hello France." And to tens of thousands of them it was indeed "Good Bye Broadway," for they sleep under the soil of France.

A friend has told me a story of the landing of the Ninety-second Division, composed of negro troops. As the lighters drew alongside the wharves the interest of the negroes was instantly aroused by the sight of a battalion of French black troops from the West Coast of Africa, who were engaged in unloading ships. A soldier fresh from the cotton plantations of Mississippi was the first man ashore. Approaching a giant Sengalese he confidently held out his hand.

"Hello, niggah!" he called. "How you like it ovah yere in France?"

"Je ne parle Anglais, M'sieu," the Sengalese explained politely.

"Ah's askin' you, niggah," repeated the American, raising his voice, "how you likes it over yere in France?"

"Je ne comprende pas, M'sieu," replied the African. "Parlez vous Francais?"

"Dat ain't no niggah," exclaimed the man from Mississippi, turning away in disgust, "dat's a camouflaged Frenchman."

Though I had seen many phases of our military preparations in the United States it was not until I landed at Brest that I gained any true conception of the magnitude of America's effort. It was a startling revelation. Miles upon miles of wharves bordered by great warehouses of steel and concrete; giant traveling cranes which could dip down into a ship's hold and pick up a locomotive bodily and set it ashore as easily as though it were a baby carriage; a network of rails which looked like the railroad yards of Chicago; scores of panting locomotives and thousands of box and flat cars stenciled with the magic letters "U. S. A."; mountains of ammunition, food, fodder, clothing, weapons, supplies of every description; and swarms of soldiers from the labor battalions in canvas hats and blue denim uniforms, working like the unloading gang of a circus. The metamorphosis of Brest, whereby a comparatively unimportant French seaport, with antiquated docking and unloading facilities, was transformed in the space of a few months into one of the world's great harbors, was one of the most remarkable accomplishments of the war. And the work was done, mind you, by a handful of Engineer officers, most of them fresh from civil life, and a few thousand negro stevedores, Chinese laborers, and German prisoners. At this port we disembarked between dawn and dark of a single day upward of 34,000 men—equivalent to the population of a good-sized city. As I looked down from the ancient ramparts of the town on this scene of breathless industry I could not but wonder how the French were impressed by this exhibition of American energy and efficiency. I learned when I met the French admiral who commands at Brest.

"You Americans are a wonderful people," he told me. "You have taught us many valuable lessons by which we shall profit. You do everything in such a big way. When we wanted to send an important message we intrusted it to a courier. But when your general had a message to send he built a telegraph line."

The first serious check I received in my program to get to Strassburg on the 25th of November was the fact that every seat was taken on the train from Brest to Paris, but the Goddess of Fortune was with me again, for when M. Delanney learned of my predicament he took me to the admiral of the port, who promptly issued orders that accommodations be reserved for me on the train, and so I arrived in Paris the next morning. The French ambassador insisted that his military attaché, Lieut. Corjon, take me to my hotel, handle my baggage, find out about the trains to Chaumont, Gen. Pershing's headquarters, and also arrange with the police for passes to go outside of Paris and into the war zone. I never could have gotten out of Paris the same day I had arrived had it not been for the kindness and courtesy of the ambassador and his lieutenant.

Though the armistice had been signed a dozen days before, I found Paris still in the throes of rejoicing over the end of the great conflict. The hotels were jammed, the restaurants were jammed, the streets were jammed. It seemed as though the armies of the entente had been turned loose in the French capital. Laughing, chattering poilus in worn and grimy uniforms which had once been horizon blue, Americans and British in khaki, Italians in rat-colored gray, Anzacs in their peculiar belted blouses and their broad-brimmed hats turned up at one side, Poles in light blue, piped with scarlet, Serbs in tight-waisted tunics that made them look as though they were wearing corsets, Algerians and Moroccans with their fierce hawk faces peering out from under their turbans, and, of course, the Parisiennes, than whom, whether they are grandes dames or grisettes, there are no smarter—or braver—women in the world. The great asphalt expanse of the Place de la Concorde had been transformed into a vast museum of the war, crowded with every conceivable form of battle trophy, from the skeleton of a German Zeppelin to trench mortars which could be carried by a single soldier. The bases of the statues at the end of the Tuileries Gardens were hidden by ramparts made of German helmets. Stretching right across one side of the great plaza was a row of German airplanes which had been brought down by French fliers, some of them painted fantastically in red and black—red for the Red Cross hospitals which they had bombed, black for the weeds worn by the widows and orphans they had made.

AN AVENUE OF CAPTURED FIELD GUNS.

The Champs Elysées, that splendid thoroughfare which runs from the Place de la Concorde to the Arc de Triomphe, a distance equal to that from the Treasury to the Capitol in Washington, was lined on either side, from end to end, by captured field guns standing wheel to wheel. And the people were per-

mitted to do with these guns, and with the other trophies displayed in the Place de la Concorde precisely as they pleased. There were neither guards nor railings nor "Do not touch" placards. Laughing youngsters sat astride the grim barrels which had belched death on the Marne and at Verdun; wounded soldiers demonstrated to their admiring relatives how they worked the machine guns and trench mortars.

"Does Your Excellency know that the trophies in the Champs Elysées are quite unguarded?" someone asked the prime minister, M. Clemenceau. "The people are doing with them as they please; some of them may be stolen."

"Eh, bien," replied the Tiger. "Who has a better right to them than the people? It was the French people who won the war. And what if a few of them are taken, mon ami? There are plenty more where these came from."

But nothing, not the cheering crowds nor the captured airplanes and cannon, brought home to me the fact that war is over, that the war had been won, as did that statue in the Place de la Concorde which symbolizes the city of Strassburg. For eight-and-forty years that statue had been draped in black, as symbolic of France's mourning for the lost Provinces. But now the mourning had been torn away and the statue was literally hidden beneath heaps of flowers and flags, flags and flowers. As I stood on the crowded pavement and stared up at the carven figure of a seated woman, it seemed to me that these heroic features typified not merely Alsace-Lorraine, but France herself—courageous, patient, indomitable, serene.

WHAT THE FRENCH FOUGHT FOR.

It is the little things, rather than the big ones, which usually leave the most lasting impression, and it was a story, told me over a dinner table, which brought home to me more vividly than all the splendid spectacles which I witnessed, just what this victory means to the French people. A party of officers—an Englishman, a Russian, an Italian, and a Frenchman—were dining together one evening. After dinner they went out to have their coffee and cigars in the garden. And while they were smoking they fell into a discussion of the causes which led their respective nations into the war.

"We went to war because of the invasion of Belgium," said the Englishman. "We had guaranteed her neutrality—and, besides, Belgium in German hands would be a pistol held at the head of England."

"The Tsar declared war," asserted the Russian, "to save our fellow Slavs of Serbia from extinction."

"We are fighting for Italia Irridenta," exclaimed the Italian, bringing his fist down upon the table so that the dishes rattled. "The Trentino, Trieste, Istria, Dalmatin, in order to secure our national safety we must have them all."

The Frenchman, seeing the questioning eyes of the others fixed upon him, leaned over and from the ground scooped up a handful of earth.

"This is what we are fighting for," he said simply, and pressed it to his lips.

It is such exhibitions of unashamed sentiment which gratify and delight all Frenchmen. If they love anything they are not ashamed to say so. But we Americans, like our British cousins, make a practice of hiding our emotions beneath a cloak of indifference and matter-of-factness. It is not an American characteristic to "wear our heart on our sleeve." Strangely enough it took a professional soldier, a grim and taciturn fighting man, to show the French that we are in reality not so devoid of sentiment as they had always believed. One of the first requests which Gen. Pershing made after his arrival in France was to be taken to the tomb of Lafayette. The group of high officers and officials who accompanied him naturally expected that, after laying the wreath which he had brought with him on the tomb, he would make a speech. But he did nothing of the sort. His simple "Lafayette, we are here," surprised and delighted the French.

And when, upon his visit to Les Invalides, the sword of Napoleon was brought to him, he neither spoke nor took it in his hands, but bent and kissed the blade. Those two incidents, apparently insignificant as they were, together with his offer to brigade American troops with the French, did more than all his military qualities to win for the American commander in chief the sympathy and admiration of the French.

PERPETUATING THE MEMORY OF GUYNEMER.

In those days before the great war, when it was our careless custom to generalize about other peoples, we used to remark, rather condescendingly, I fear, that the French were a temperamental, volatile, sentimental people. No one has accused them of being volatile since the Marne and Verdun, but the charge of sentimentalism remains. The pity is that we Americans have not more sentiment. We are too self-conscious, we hold ourselves too much in check, we act as though we were afraid that should we venture to be natural or to show our emotions we would be laughed at. We pride ourselves on being practical and matter of fact. In recent years George Washington has been as well known as the name of a brand of coffee as the Father of his Country—imagine the French permitting a brand of tea to be named after Napoleon. Sherman's chief claim to fame, from the standpoint of the man in the street, is that he once said "War is hell." We presented a house to the hero of Manila, but he promptly ceased to be a hero to us when he presented the house to his wife. This war has given us national heroes a plenty, from "Go-to-hell" Whittlesey, of the Lost Battalion, to "Eddie" Rickenbacker and "Hobey" Baker. Yet, by any stretch of the imagination can you conceive of American schools setting aside a day to commemorate the exploits of Baker, as the French schools did not long ago, in order to perpetuate in the minds of its children the memory of the great French ace, Guynemer?

I have here a copy of the letter written by the mistress of this little village school to Guynemer's mother. Let me read it to you:

MADAME: You have already received the sorrowful and grateful sympathy of official France and of France as a nation; I am venturing to send you the naive and sincere homage of young France, as represented by our school children at Bouclans. Before receiving from our chiefs the suggestion, of which we learn to-day, we had already, on the 22d of October, consecrated a day to the memory of our hero, Guynemer, your glorious son.

I send you inclosed an exercise by one of my pupils, chosen at random, for all of them are animated by the same sentiments. You will see how the immortal glory of your son shines even in the humble villages, and that the admiration and gratitude which the children, so far away in the country, feel for our greatest aviator, will be piously and faithfully preserved in his memory.

May this sincere testimony to the sentiments of childhood be of some comfort to your grief, to which I offer my most profound respect.

C. S.,
The School Mistress of Bouclans.

And this is the exercise, written by Paul Bailly, aged 11 years and 10 months:

Guynemer is the Roland of our epoch; like Roland he was very brave, and like Roland he died for France. But his exploits are not a legend like those of Roland, and in telling them just as they happened we find them more beautiful than any we could imagine. To do honor to him they are going to write his name in the Pantheon, among the other great names. His airplane has been placed in the Invalides. In our school we consecrated a day to him. This morning, as soon as we reached the school, we put his photograph upon the wall; for our moral lesson we learned by heart his last mention in the dispatches; for our writing lesson we wrote his name, and he was the subject for our theme; and finally we had to draw an airplane. We did not begin to think of him only after he was dead; before he died, in our school, every time he brought down an airplane we were proud and happy. But when we heard that he was dead we were as sad as if one of our own family had died.

Roland was the example for all the knights in history. Guynemer should be the example for Frenchmen now, and each one will try to imitate him and will remember him as we have remembered Roland. I, especially, shall never forget him, for I shall remember that he died for France, like my dear papa.

As a young man I had visited Paris and took that walk which is one of the loveliest in all the world, down the Champs d'Elysees from the Arc de Triomphe to the Place de la Concorde—and it came to be called the Champs d'Elysees from a remark that Louis XIV made one day when he was being wheeled out by an attendant. He inquired, looking at the fields on either side of the road, "What could be more beautiful than this? Surely not even the Elysian fields." Hence the name, Champs d'Elysees.

I doubt whether there be another capital in Europe which can offer a monument of more majestic calm than Paris does in its Place de la Concorde.

And yet, could the stones of the great Place but speak they could tell tales of murder, carnage, and of riot. As late as the middle of the eighteenth century the great site, nearly 400 yards in length and 235 yards wide, which lies between the Tuileries Gardens and the Seine, was practically a desert. In 1763 an equestrian statue to King Louis XV was erected there, on which a wit scribbled the following pasquinade, which has become historical:

O la belle statue! O le beau piedestal!
Les vertus sont a pied, la vice est a cheval.

Thirty years later the statue was replaced by one of Liberty, and the Place Louis Quinze became La Place de la Revolution. Here the grim memories of the Revolution concentrate, for between January 21, 1793, when Louis XVI died upon the guillotine on the exact spot where the south side fountain with the figures emblematic of marine navigation stands to-day, and May 3, 1795, the stones of the Place ran in rivulets of blood, and 2,800 people perished under the biting kiss of La Petite Louison, as the guillotine was called.

It was then that superstitious people recollected that the Place had been of evil augury from the festivities which marked

its building, for before the rejoicings terminated on the inauguration of the statue to Louis XV a fearful crush occurred on the unfinished Place, and no less than 300 people perished, while the tale of maimed and wounded ran into four figures. On the morning following the fête, Mercier says, 133 bodies were found upon the Place.

As I have said, Louis XVI died here upon the guillotine, where later Charlotte Corday, Marie Antoinette, Philippe Egalite, Madame Elizabeth—the sister of Louis XVI—Danton, Camille Desmoulins, Robespierre, and many others perished.

It was here, too, that, on April 10, 1814, the armies of the Russian, Prussian, and Austrian invaders were reviewed. A te deum for the triumph of the allies and the restoration of the Bourbons was sung at an altar raised in the middle of the Place, and a salute of a hundred guns was fired to commemorate the renaming of it as the Place Louis XV.

Here, too, another army—that of the invading Germans—took up position in March, 1871, and in May of the same year the Place Louis XV was the scene of many a fierce conflict between the Versailles troops and Communards, who had erected barricades at the end of the Rue Royale.

The obelisk upon the Place de la Concorde is the sister monolith to Cleopatra's Needle. It is 76 feet in height, weighs 240 tons, and was presented to Louis Philippe by the then Viceroy of Egypt, Mohammed Ali. It was at the foot of the Assouan obelisk that, on February 24, 1848, Louis Philippe and Marie Amelie waited in agony for their carriages, which were being burned by the people in the Tuileries.

Round La Place de la Concorde are the eight great allegorical statues typifying France's eight chief cities. That of Strassburg is always draped in crêpe and wreathed with immortelles, in token of the loss of Alsace and Lorraine to France.

This trip to Paris was my eighth, and ties of sentiment and business had been the occasion of my visits from time to time. My twenty-first birthday was celebrated by a trip to Paris, and from there I brought home the first motor cars which were ever brought through the port of Boston. At a later date I was married in Paris. Anyone visiting France in the last 50 years has become familiar with the story of the great statue of Strassburg—Strassburg, the capital of Alsace, that Province of which Germany robbed France after the war of 1870. From time to time wreaths of flowers have been placed upon it, and all loyal Frenchmen have vowed that some day Alsace and Lorraine would be restored to France. It has upon the base of its pedestal this legend: "France quand Même." Not being a French scholar, I have on numerous occasions asked different Frenchmen to translate this for me, but none have ever appeared to be quite satisfied that they could translate it into English with all of its significance. In substance, it means that during all these years France has considered Strassburg hers. It also means, in the opinion of others, that Strassburg will belong to France in spite of all. The fact that the statue was draped in mourning by the French, the flowers upon it, the sign beneath, fascinated me. It seemed related, in my imagination, to the definition the Good Book gives of faith, namely, "The substance of things hoped for, the evidence of things not seen." Surely, France loved Alsace and Lorraine, and Alsace-Lorraine loved France, and let us hope that never again will history record such a cruel parting as was that of 1870—that of the Provinces of Alsace and Lorraine from France.

May I take the liberty of saying here that I wish our Government, instead of devoting millions of dollars to the erection of unnecessary post offices and other public buildings, would make an adequate appropriation for the encouragement of the arts and sciences, as France does. Why should not our mint strike off medals in commemoration of the glorious events in American history? Why should we not give prizes in recognition of great productions in painting and sculpture? Are not these things an inspiration to the youth of our land, which surely lead them to loftier planes of thought and living? Is it not the surest means of combating materialism, at whose shrine Germany worshipped and as a result of which she was led into a lust of materialism and final downfall? Have we not learned from our experience in this war that an intangible something, called morale, is as potent an influence upon victory as guns and gunpowder, and is it too wild a flight of the imagination to say that the encouragement of the arts and sciences—music, painting, and sculpture—makes for a higher morale of our people, for loftier thinking, nobler actions, higher ideals, and better citizenship?

I left Paris on the morning of the 24th for Chaumont.

At Chaumont, a little town in the Department of the Haute-Marne, six hours by train southeast of Paris, was the general headquarters of the American Expeditionary Forces. To Gen. McAndrew, chief of the general staff, I presented the letters which I had brought with me from Washington, and it was due to his courtesy and assistance that I was able to reach Strassburg in time to witness the triumphal entry of Marshal Foch, for he assigned to me a military car and an officer who was to act as my guide. The conducting officer was Capt. Robert Warwick, who has been seen by most Americans either across the footlights or on the motion-picture screen. Accompanied by Capt. Warwick, I went to the French état major, presented my credentials, and asked for a pass to visit Strassburg.

"Mon Dieu!" said the French officer, holding up his hands; "Strassburg is still in Germany. How, then, can I give you a pass into Germany?"

Capt. Warwick explained, however, that he had instructions from the American general headquarters to get me to Strassburg by the 25th, whereupon the Frenchman settled the matter by writing out a pass, which read, "Anywhere through the French lines for 30 days." It was the first pass issued into Strassburg.

Strassburg, the historic capital of Alsace, is on the Ill, 2 miles from the Rhine, being divided by the river into several sections. The old French fortifications, designed by Vauban, have been replaced by a modern German system, consisting of a chain of barrier forts, 14 in all, at a distance of from 3 to 5 miles from the center of the town. The narrow, winding, cobble-paved streets, the old, old buildings with their curious façades, the splendid buildings of the university, and the towering spire of the ancient cathedral combine to give the city a peculiarly quaint and medieval appearance, the picturesqueness of its streets being enhanced by the thousands of returned soldiers in both French and German uniforms. An extraordinary situation existed in Strassburg at this time, for Germany conscripted 600,000 men from Alsace-Lorraine, and upon the signing of the armistice a considerable proportion of these came flocking back, still wearing their German uniforms, to a city which had become French overnight.

Mingling in the streets of this city, which for nearly half a century had been under German rule, were soldiers in German field gray and soldiers in French horizon blue, and, to add to the confusion, thousands of released British prisoners in khaki. So crowded was the city that my companion and I were unable to find a room, being eventually forced to accept the hospitality of a German captain of cavalry, the Rittmeister Ulrich, who placed at our disposal rooms in his chateau. A curious situation, was it not? I, an American Congressman, the guest of an officer of the German Army which we had just been fighting.

I took occasion to inquire of Capt. Ulrich why in the world it was that the Germans brought America into the war, and his reply was that this was a diplomatic mistake, and he added that all their mistakes were diplomatic mistakes. I asked what they thought after we entered the war; if they thought we could not fight or would not fight; to which he replied that they thought we could not get over, but the Germans knew that if we did get over they were done for, and that when they found we were coming over en masse they quit.

Gen. Gouraud, the one-armed hero of Gallipoli, who commanded in Strassburg at this time, is one of the most picturesque and gallant figures in all the armies of France. Seldom have I seen a more striking figure; a tall, slender, graceful man, with a long, brown, spade-shaped beard, which did not entirely conceal a mouth both sensitive and firm. But it was the eyes which attracted and held my attention—great, lustrous eyes, but which could on occasion, I fancy, become as cold as steel or angry as lightning. One sleeve of his tunic hung empty, and he leaned heavily on a cane, for during the landing at Gallipoli he was terribly wounded by a Turkish shell. He is a remarkable man, this soldier with the beard of a poilu and the eyes of a poet, and had the war continued I doubt not that he would have won the baton of a marshal of France.

Gen. Gouraud thought it strange that I should be stopping in Strassburg as the guest of a German officer. Maj. McGrew, my French conducting officer, caught the humor of the situation, explained to Gen. Gouraud how it all happened, and I think no small degree perhaps of the courtesies extended by Gen. Gouraud to me while in Strassburg were the result of the acquaintance brought about by this peculiar incident. It will be among the pleasantest memories of my life to recall the various considerate things the French did for me that were entirely uncalled for, but were none the less appreciated.

On November 25 I had the pleasure of meeting Gen. Mitchell, who commanded all combat flying machines on the American front. He seemed to be a very young man to be a general, but after talking with him it was easy to understand the rapid advancement which had put him in charge of the American air forces. He was the personification of life, energy, and enthusiasm. Gen. Mitchell sincerely hopes that appropriations will be made so that the aircraft branch of the Army can be further

developed and maintained as a strong arm of our national defense. He said the value of airplanes could not be overestimated as a method of observation and for policing territory.

The state entry of Marshal Foch into Strassburg was to take place on November 28, and promptly at 9.15 on that morning a staff captain, sent by Gen. Gouraud, called for us in a military car and escorted us to the barracks, where the reception to the generalissimo was to take place. Drawn up in a hollow square in the great rectangle formed by the barracks were six regiments of French infantry, with their bands and colors. Half an hour's wait and the clear notes of a bugle suddenly turned the soldiers into statues. Another bugle call and the rifles came to "Present, arms," while the massed bands burst into the splendid strains of the Marseillaise. Then into the courtyard poured such a procession as I shall probably never see again—a squadron of Spahis, Algerian horsemen in white turbans and streaming red burnouses, mounted on white and wiry desert horses, riding amid a forest of lances under a cloud of fluttering white-and-scarlet pennons. Hard at their heels came a cavalcade of French officers representing every branch of the service—cuirassiers, dragoons, hussars, chasseurs, engineers, colonials—and at their head, mounted on a white charger, the breast of his sky-blue tunic ablaze with stars and crosses, I caught a glimpse of Ferdinand Foch, marshal of France, commander in chief of the armies of civilization, the hero of the Marne, and the conqueror of the Hun. It was one of those moments which will always remain a white milestone on the road to memory.

Marshal Foch had scarcely finished reviewing the troops when the officers who were conducting me hustled me into a car and rushed me to the Place Kléber, where the city was to extend its welcome. In the center of the square rises the statue of Gen. Jean Baptiste Kléber, born in Strassburg, the French soldier who commanded the armies of Napoleon at the passage of the Rhine near Dusseldorf, who was intrusted by the Emperor with the command of the French armies in Egypt, and who met his death at the hands of an Arab fanatic in Cairo. Though a space around the base of the statue had been kept clear, the sidewalks, the windows, and the housetops were a solid mass of humanity. And when the marshal, still riding his white charger, rode slowly into the square, that mass of humanity went insane. Pulling up his horse before the statue, the marshal drew from its scabbard the sword of Kléber, which had been brought him from the museum, and, raising the flashing blade in air, sat motionless at the salute while the drums rolled and the bugles shrieked and the people cheered themselves hoarse and the housetops rocked and swayed.

The final scene of this never-to-be-forgotten spectacle, the scene which I shall probably remember the longest, came a little later in the day, when the marshal visited the great cathedral to give solemn thanks to the God of Victories. This time, instead of the acclaimed and glittering hero, I saw the figure of a tired, worn man, his shoulders bowed, and his face lined by the terrible burden which he has carried, kneeling on the steps of the high altar, where countless emperors and kings and heroes had knelt before him, giving thanks to God.

Describing these scenes in Strassburg, Premier Clemenceau said in the French Senate that in the city of Strassburg, where the teaching of French had been forbidden in the public schools, where men with distinctly French names had been obliged to change them to German, he was greeted by the singing of the Marseillaise; others cried, "Vive la France!" and the voices of the rest were drowned in a sob.

In the opinion of many people in France the church influence has been greatly rehabilitated, due to the wonderful bravery and devotion of the priests who have accompanied the troops, suffering all their privations, and in a great many instances have been wounded and decorated for bravery. In Strassburg I saw a priest who was at least 50 years of age, with his right arm amputated at the shoulder, wearing on his breast a croix de guerre, with two palms, indicating that on two occasions he had demonstrated his personal bravery.

I took occasion after the services at the cathedral were over to view the famous Strassburg clock, which is in the cathedral. The architectural beauty of the Strassburg Cathedral is known all over the world. That night we made it a point to visit the principal restaurants of Strassburg, and to say that joy was unrestrained would be to describe the situation mildly. I recall that at one of the largest restaurants of Strassburg, the name of which escapes me, the entire orchestra was made up of poilus, and the leader of the band and the first violinist were decorated with the croix de guerre. I had never heard the Madelon, one of the old popular French songs, sung before, or Marguerita, another very tuneful song, and a third one called Margot. I had no difficulty in view of the number of times that these were sung and encored to learn them. Instead of applauding a piece that meets with popular approval in the American way, in northern France the method of applause is to make three distinct claps in three series, after which a single clap. That indicates that the audience offers its most hearty approval. Words utterly fail me in attempting to describe the enthusiasm of these people over the return of this territory to France. Old ladies, who I am sure had not danced for a great many years, were drinking champagne and having the time of their lives. These women, who composed the society of Strassburg and into whose homes the Germans had never been invited or even admitted, were greeting everybody in a most democratic spirit and were in very truth joyful.

It was in Strassburg that I learned from the American liaison officer of an interview that took place on the western front somewhere near the Dixmude sector between Marshal Foch and Gen. French, of the British Army, just prior to a contemplated retreat of the British forces. Marshal Foch reminded Gen. French that never in history had England retreated leaving an ally to perish, and that he, Foch, had ordered the French to die to the last man before retreating an inch, and Gen. French, with the tears streaming down his face, promised to make the stand, and as a result the French and British forces held their ground and stopped the Germans.

It was at Strassburg that I first saw a German lüger officer's pistol. These pistols are carried in a leather holster and strapped to the holster is a wooden piece of the same length as the pistol and in shape and size is a duplicate of the butt of a rifle. This wooden piece attached to the handle of the pistol changes a revolver into a rifle capable of accurately firing a thousand yards. Later on I was able to pick up one of these rifles at Verdun, and prize it as one of the best relics I secured during my trip.

In Strassburg we found that all the string was made of paper. An old gentleman told me out in front of the hotel one morning that rubber tires on our motor car were the first rubber tires he had seen in several years, and that they had been using steel tires, rope, and blocks of wood in place of rubber, which was very scarce.

The third morning of our stay at the chateau we learned that all the Germans of the city had been ordered to turn in firearms of every kind, and we could not help being slightly curious as to just how our German captain host would return his. You can imagine it would be a bit embarrassing for a German captain, certainly one with the military bearing of our host, to march through the streets of Strassburg to the city hall and surrender his sword and rifles, and so forth. But the captain solved the problem by sending his housekeeper with his arms and ammunition.

During the first few days of occupation of Strassburg the populace showed their resentment toward those of German sympathy who had been particularly obnoxious during the years of German control, with the result that there were some windows broken and some stores were obliged to close. In watching these demonstrations in the street I noticed an old, distinguished-looking Frenchman, who told me why the Alsatians were forcing Germans to close their shops, and he explained to me what it meant to the Alsatians having the French back on their soil again, and he went on to relate how he had been a French soldier and had fought in 1870. I said to him, "These must be days of great emotion for you." "No, no," he said, placing his hand over his heart, "Not emotion; ecstacy."

I recall the incident of a French soldier who entered with our troops. He went to the cemetery where his grandfather was buried, having been killed in the Franco-Prussian War of 1870. The French soldier knelt on the grave and placing there a small French flag whispered, "They are here, grandfather."

From Strassburg we went to Metz, where reservations had been made for us at the Hotel de l'Europe. We lunched at Zaberne, which was the place where the German military officer struck down a cobbler. That incident, while not of grave importance by itself, perhaps gave Americans their first inkling of the arrogance with which German officers treated civilians. Not only should this officer have been punished for striking down a civilian, but instead of this he was honored for it.

At Metz the first night of our arrival 12,000 British prisoners marched into the city singing, "It's a long, long way to Picadilly, but our heart's still there." In the city of Metz only one shell had ever reached the city. There was some slight damage done by bombs from airplanes, but, practically speaking, the city was unharmed. In fact, as a broad, general statement it might be said that the entire territory of Alsace and Lorraine was untouched, the French having refused to bombard it, inasmuch as they expected eventually to have it returned to them. I was told that Gen. Pershing lined up his guns to bombard some of the Alsatian cities, with the result

that Premier Clemenceau, as soon as he heard of it, left Paris and succeeded in convincing Pershing that such action would be a great mistake.

Early last spring Marshal Foch said that if the Germans did not retreat to the line of Metz he would have them out of France by Christmas. The Metz line is the one they would naturally have retreated to had it not been for the internal troubles and loss of morale that brought about the collapse.

From Metz we proceeded to Verdun, and here I commenced for the first time to see what trench warfare meant, and graves and crosses that were row on row. Here I saw the gates of the citadel through which over 2,000,000 French soldiers had passed. The Germans never had actually succeeded in getting into the city, and most of the damage was done to the northern forts. It was at Verdun that I learned of the American who offered his sympathy to a Frenchman who had lost both arms, to which the Frenchman replied, holding out the two stumps, "I wanted to give my life, but they only took my arms."

At Souilly I had the pleasure of dining at the American mess, and it was a most enjoyable occasion. The food was very good and the boys seemed happy and contented. The boys at that time were not at all unhappy as they became later. They then thought the War Department would be as interested in getting them home as they were in getting them over. It is unfortunate that they have been disillusioned in this respect.

Here I took occasion to ask Gen. McNear if he thought the generally accredited reason for the German surrender was true—namely, that there was a great food shortage in Germany. He said, "No; but when the German people learned the truth as to the reasons why they were at war it broke down their morale, which in turn brought about their surrender."

Leaving Gen. McNear's headquarters, I went back to the mess and had a fine meal of bacon, potatoes, bread and butter, raspberry jam, and coffee. The cook told me that the potatoes we were to have for dinner had been planted by the French, the territory having later been taken by the Germans. Before harvest time the French had recaptured this section, and stepping to the door, at his suggestion, I saw the German prisoners just finishing up the peeling of these potatoes for the American meal.

At Souilly I was told by an officer of the story of a colored fellow who was in the trenches looking very gray and frightened, and the commanding officer making his rounds stopped and said to him, "What is the matter with you, George? Are you sick?" To which the coon replied, "No, sir; but I don't like the way dose shells are talking to me to-night." The major said, "You don't mean to say that those shells talk?" He said, "Yas, sir; dey talks to me. I can understand dem." Just then one of them came over and made that noise which is similar to the tearing of a linen collar and ended with a bang. Just then the coon said, "Do you hear dat one, boss? Dat one done say to me, 'Nigger, yo ain't neber goin' back to Alabam.'"

I am going to take the liberty of telling this little story, which may appear sacrilegious. On the other hand, I am sure that anyone visiting those boys at the front who have so recently been through life and death, suffering and carnage, would be very tolerant in criticizing anything that they did or said. This story as it was told to me was in regard to a lot of colored fellows from down South, who, after arriving on a transport and being here a few weeks, were sent to a training camp where colored boys in the front-line trenches came back to rest. One of the new coons meeting an old-timer said, "Ole boy, whats dis yere meanin' 'Ober de top?'" "Why, yere boy," replied the old-timer, "Don't yo' know what 'Ober de top' means? Dat means dey're going to teach yo' how to use de bayonet an' how to use de hand grenade and how to use dat rifle. Den after yo' niggers knows dat, dey're goin' to send yo' up to de tranches. Den you're goin' to watch in de rain an' de cold an' de mud wid de Boche shootin' at yo' an' throwin' dese minnewerfers at yo', an' den one day word comes dat yo're goin' ober de top, and den yo stan' waitin' an' when de minute comes when yo' have to go ober dat top yo' starts wid yo' teeth a-chatterin' to go up de ladder. Yo' goes up an' up till just as yo' reaches de top yo' put yore haid ober an' yo' just says, 'Good mawnin', Jesus.'"

As a matter of fact, our negro troops fought as bravely as any others. In one of the French newspapers there was a picture of a South Carolina nigger who was awarded the croix de guerre. This cartoon represented a big colored man looking through an enlarged croix de guerre, and underneath these words, "Black, but red, white, and blue."

The night before Christmas I went to the services at the Madelaine, in Paris, and words utterly fail me in any attempt I might make to describe the thoughts that came to mind at the sight of French soldiers in uniform who had been fighting for four and one-half years standing there so peaceably at divine service, coming from the battle area with the picture of what they had been through so freshly in mind; it seemed easy to understand how peaceable and satisfying it must be to them to get back where they could express their gratitude for having escaped the calamities of death and disaster that had befallen so many of their comrades. I could not help but be reminded as I looked into the faces of these men who had been through so much and who now looked so peaceable and happy of those words of Shakespeare, "Sweet are the uses of adversity."

Christmas Day I visited the Massachusetts Club, at Hotel Lotti, with Congressman CARTER and Mr. Connolly, of the Stars and Stripes. I hope that Mr. and Mrs. Frothingham have the satisfaction of knowing some of the pleasures and happiness and comfort they have given the boys from Massachusetts who have been in Paris and who have utilized these very comfortable quarters which they have provided. All the Boston papers were at this club. There was a piano and a phonograph. In fact, it was quite the most comfortable place that I had struck on my trip. I remember meeting Mr. Grosier, of the Boston Post, shortly afterwards, who complained that he had not seen one of his papers in a month. Inasmuch as I had just read all of the Boston papers at the Massachusetts Club, I suggested that he call there too, which opportunity he was very glad to improve.

My American trip started from Paris and took us through Seulis, which was the extreme limit of the German advance in 1914. From there we went to Compaigne, outside of which, at a distance of 4 miles, are the forests of Laigne, which was the farthest point the Germans reached on July 15, 1918. Next was Noyon, which is the nearest city to Paris which is completely destroyed. Next to that we visited Guisecard, which was demolished on July 18. Noyon was retaken by the French in August, 1918. Next we went to Ham, which has been the center of the two battles of the Somme. Around Ham and St. Quentin there is hardly a foot of space between the shell craters. These cities were not retaken until August and September, 1918. Outside all the houses was metal work of every kind, which the Germans were assembling to take back into Germany. All copper and brass was taken from the machinery. Practically all the roads around St. Quentin were destroyed. We rode for miles over wooden planks. Bohain was the first town in October, 1918, where British and Americans, upon taking the town, met the civilians. Between Amiens and Bohain, a distance of 90 kilometers, not a single house can be found standing or a single inhabitant living. This 90 kilometers between Amiens and Bohain is as the crow flies. By road it is 140 kilometers.

From Bohain we went to St. Souplis, St. Quentin, Vermand, straight on to Amiens. The next day we lunched at Compeigne, in which town there is not a single electric light. The hotel had been partially destroyed and was being rebuilt. This hotel, named the Paris, was the only one open in the town. The cathedral at Amiens, practically speaking, was undamaged. The town was totally evacuated from March 30, 1918, to September 20 to the last inhabitant. Col. Wilmer, of the British Army, treated us royally while we were at St. Quentin.

From Amiens we went to Corby, which was the headquarters of the Twenty-seventh Division in October for a month. This city was never occupied by the Germans, who got within 3 miles in April, 1918.

We then went to Vellers-Brettanaux, which was entirely destroyed. The Germans came through this town approaching Amiens. At Carbonelles-Brettanaux we could not find the town at all, it had been so totally destroyed, but finally we came upon a sign reading, "This was Carbonelles-Brettanaux," and in this town it could truthfully be said that the curbstones were higher than the steeples, and all that was left of the town was a scar.

We next visited Peronne, which was an ancient fortified city and the seat of Louis XI. It was one of those walled cities with a moat about it. This section has been a battle field for centuries.

At Roysel I had the opportunity of dining with some British Tommies, also of securing some holsters, revolvers, knives, guns, and other souvenirs. It was at this point that the British Tommies told me that German prisoners said that the first thing American soldiers did after they captured them was to remove their hats, medals, pistols, and equipment of that sort as souvenirs.

At Hardincou[illegible] we were given a demonstration by Lieut. Flaubert of the V[illegible] pistols, which are used for shooting star shells at the front.

The English seemed to have a way of making themselves more comfortable with limited facilities than anybody else.

Another feature of the British front is what are called "elephant iron huts." These consist of large pieces of sheet iron, which are oval. Two of these with a third one across when joined make a very satisfactory roof for a dugout. When constructed they are also known sometimes as the "Nisson steel huts."

At Vincourt we passed by the headquarters formerly occupied by Gen. O'Ryan. The first place we struck the Hindenburg line was at the Bellecourt tunnel of the St. Quentin Canal. For miles around this section we traveled over plank roads. It was explained how these roads were laid and relaid by British engineers under shell fire.

At Mons we saw a series of German pill boxes, the walls of which were 9 feet thick, and some dugouts ran down into the earth with as many as 30 steps. These dugouts were equipped with electric lights, telephones, and so forth.

Outside of Ypres we visited what is probably the largest graveyard for soldiers in France. It contains something like 20,000 bodies, two bodies being in each grave. These graves were marked with the white cross with the soldier's name and regiment and the date of his death thereon.

Some of the very fiercest fighting, if not the fiercest, in the entire war, was in the Argonne Forest, and no division made a better record there than our Twenty-sixth New England and the Seventy-seventh New York. American troops went through this section so rapidly that in some instances German machine gunners were captured in the trees three days afterwards.

French business men have told me that the one great lesson that they have learned as the result of the war has been quantity production, and anyone familiar with French industrial affairs knows that their goods have been made by small concerns in little factories scattered here and there. The war made it necessary that large quantities of supplies should be made and the Government financed the undertaking, and in this way French manufacturers have been given an opportunity of increasing their facilities and broadening their viewpoint.

A story, however, that was most distressing to me, and one in which I have confidence, is that at a number of points along the line American troops, the day after the armistice was signed, were put over the top. I understand that the English lost 20,000 men in order that they might have English troops in Mons when hostilities ceased, which was the point where they started from in 1914. My humble opinion would be that nothing in the world warranted any officer in forfeiting the life of a single private soldier unnecessarily. I have been told by men who were there that at the River Ceille, south of Metz, American troops under Gen. Bellew, of the Ninety-second Division, were ordered over the top at 7 o'clock in the morning the day after the armistice was signed, and firing was to stop at 10. At 11 o'clock what were left of these troops marched peaceably into Germany.

One great difficulty in the Army system and methods, in my opinion, is that the General Staff proceeds on the theory that any Army officer can do every job well. In business we recognize that the average bookkeeper does not make a good sales manager, and vice versa. But apparently the Army does not believe in specialists, and the result is that there are a great many round pegs trying to fill square holes.

The English commissary department has apparently the best system of transportation for its rations, with the result that English troops are only given rations for the ensuing 24 hours, Americans carrying a supply for 10 days.

In our war preparations we apparently made three mistakes of a similar nature in connection with airplanes, artillery, and machine guns. Our airplane failure was due to the fact that we started out to design a new machine from the ground up rather than to start building at once those airplanes which our allies had developed. Had we followed the latter program we should have had machines which could have been put into immediate production, and if we had developed an American machine that was superior we could put that into production after its superiority had been demonstrated beyond question. When we went into the war France offered us the blue prints and all the manufacturing secrets of the French 75, the greatest piece of artillery developed during the war. Their one stipulation was that the recoil mechanism should be assembled by Frenchmen. Our War Department declined this offer with the intimation that we could build something better than the French 75. The result was that we wasted a year's time, finally accepted the French plans, and when the war closed, it is my understanding, we had on the western front only about 111 of these guns.

We made a somewhat similar mistake in connection with the machine guns. Instead of taking the Lewis gun we experimented with the Browning. Our mistake in connection with the machine guns, however, was not so serious as with airplanes and artillery. The Browning proved eventually to be an excellent gun. It might be interesting to note here that the French lengthened out their machine-gun fire 1,000 yards by using copper bullets.

Through the courtesy of the British Government I was given a military conducting officer, Capt. Haig Bovey, and a motor car, and the trip included visits at Amiens, Ypres, Albert, Bapaume, Cambray, Lille, Roubaix, Tourcoigne, Vimy Ridge, Messines, St. Quentin, and parts of Belgium. I had the opportunity while on this trip of visiting the Bellecourt Tunnel of the St. Quentin Canal. This canal is about 3½ miles long and it was entirely filled with barges, and these barges were fitted up with sleeping quarters, telephones, electric lights, and conveniences of every kind. A great many thousands of Germans were housed in this canal, and while there they were entirely free from bombardment and artillery of every kind. This tunnel was built in the time of Napoleon and became a part of the Hindenburg line. This tunnel was finally captured from the Germans, the Americans taking the northern end and the British the southern.

At Ypres an English officer told me that the inventor of the tank stated to him that he got his idea of the tank from seeing a tractor which was made in Peoria and a thrashing machine which was manufactured in Stockton, Cal. From the ideas suggested in these two he made the tank. It was, however, the little tractors, made by the thousands by Louis Renault, that did the most effective work.

My conducting officer, Capt. Warwick, told me that he asked Lord Reading who he thought was the best orator in America, to which Lord Reading replied without hesitation, "President Wilson." The captain then asked him if President Wilson's speeches were as good to listen to as they were to read, to which Lord Reading said, "No; but either way it left a person on a higher plane of thought thereafter."

Clemenceau is generally credited in France with accomplishing the unity of command which put Marshal Foch in charge of the allied armies. The story goes that Lloyd George suggested Douglas Haig, whereupon Clemenceau threatened to open up negotiations for peace if Foch was not put in command. Other gossip was to the effect that Lord Reading told President Wilson that they must have troops or quit in the early stages of America's entry into the war, and that President Wilson said without hesitation, "We will send all the troops that you will provide transportation for."

Lord Reading considered the deportation of women by the Germans as constituting the blackest pages of modern history.

I believe that all our special-service organizations, including the Red Cross, Young Men's Christian Association, Knights of Columbus, Salvation Army, and Jewish Welfare, should be handled by the Army. Now that the armistice has been signed, they have plenty of time to handle it themselves. They know its requirements better than anybody else and it will keep them busy. I have talked with members of these organizations and they invariably agree that the Army can handle it better.

When the Germans started through Belgium Gen. Pau was offered command of the French Army, but he said he must decline while there was an abler man in France, referring to Joffre. Joffre was then appointed, he in turn appointing Castelnau as chief of staff and Foch as field commander.

I might be pardoned for mentioning that I have heard as many accounts of the reasons for the winning of the Battle of the Marne as there have been Frenchmen that I have talked to. When the Germans lost the Battle of the Marne Von Moltke, the German commander in chief, is reported to have said to the Kaiser that victory was impossible; that a draw was the best that could be hoped for; whereupon the Kaiser appointed Falkenheim commander in chief, and after Falkenheim Von Hindenburg, who received his military teaching from the school of Frederick the Great. Ludendorf, who later became the real commander in chief, was a colonel at the time of the Boxer insurrection in China, but he went to the German minister there and had such a grasp of the situation and was of so much service to the German interests there that when the minister returned to Germany he took Ludendorf back with him, where he was given an important position. Ludendorf's downfall was generally accredited to his political ambitions.

Gen. Pershing is considered an able executive, but Gen. Liggett is generally considered by the French to be America's greatest field general.

It was said at British headquarters that on November 11, the date of the armistice, the British had a map showing the exact location of every division of the entire German Army.

One problem of reconstruction that faces the French of today is the fact that the agricultural districts of France are divided into little farms, which fact makes it rather difficult

for the farmers to use tractors and other implements that would make for an economical production of foodstuffs. The English problem in connection with this is just the opposite, for in England a few men, comparatively speaking, own all the land.

On the Aisne front I secured a German machine gun which was brought down by the French pilot Pierre. The German gunner was killed and the German pilot burned.

I dined at the American mess at Chaumont and outside of Verdun and with the British Tommies at Ypres, and was the guest of Gen. McNear at Souilly. One of the most interesting phases of the ovations given in Paris to the rulers of other countries, including President Wilson, the King of Belgium, King of England, and the King of Italy, was the mad enthusiasm of the crowds, after the distinguished visitors had passed, for the poilus, who are the idols of the French people. The French women present them with flowers, the children take them by the hand, and evidence is given in every possible way of the gratitude the French people feel for these men who for four and one-half years have been battling in their defense.

The ruins of northern France are beyond description. The area of devastation in Belgium as compared with that of France is as 1 to 75. Cities like Albert, Lille, Baupaume, La Basse, and Ypres are entirely shot to pieces, and the cost of restoring them must include the removal of what is left. There is no such thing as rebuilding them or utilizing the ruins in any way. In Lille, Turcoing, and Roubaix, which are cities comprising a large manufacturing district in France, the factories were visited and the Germans had removed every piece of copper and brass, including the machine parts of brass and copper.

Americans in France are in danger of wearing their welcome out. The French people on innumerable occasions have told me they were glad the Americans came, for they appreciate fully what they did, but they would be glad to see them go home. Two million Americans stationed in France increase the cost of living for the French, make food scarce, and after four and one-half years of struggle which France has been through, and which has left her well-nigh prostrate, the presence of foreigners is more of a hindrance than a help. The Americans spend money so lavishly that the tradesmen are encouraged to ask exorbitant prices and neglect their French customers for the foreign trade, who buy regardless of the price.

It would be impossible for me to overemphasize the desire of the American boys to come home, and in the very early days of my trip, when the war was just over, there was one question, which was always this, "When are we going home?" I recall a San Antonio boy who said with the utmost confidence that if he could get a rowboat he would do the rest.

The General Staff, to the disgust of our entire Army, does not seem to be capable of coping with the difficulty. The result is this, and the American people ought to know it: The Army is sore—disgusted. They feel that the American soldier was made a great hero of and reassured in every possible way when they wanted him to enter the service, but after the armistice was signed he was, practically speaking, ignored. They believe that there is a "nigger in the woodpile" somewhere. But one thing is sure: If the American Expeditionary Force were to say in concert what they say in private over and over again, and to every person whom they believe to have any influence, there would reach America one mighty shout of "I want to go home."

Washington should cooperate with Gen. Pershing in getting the forces home. Instead of this, steamers are returning every week that could well take anywhere from two to five thousand more passengers. If the administration does not want to bring the soldiers home for any reason, they should say so. If they want to bring them home gradually, they should say so. If they want to bring them home as rapidly as possible, then they should announce the plan and reassure the men as to just how this is to be done. Instead of that, the men know they are not coming home as rapidly as they could. They know that, whatever the plan is, it has not been told them, and naturally they are suspicious of it. My opinion is that they have not any plan at all, but that it is just a hit-or-miss arrangement.

On the *Lorraine*, the steamer on which I returned, 500 or 1,000 soldiers in addition to those returning might have been given accommodation.

When it comes to staff work and generalship it must be admitted that our allies have not much respect for American generalship or strategy or technical knowledge. Everybody agrees that the American soldier is the finest in the world.

American officers boast that they studied French methods and ways upon their arrival in Europe, and then decided to do things their own way. French officers are very careful of the lives of their men. Frenchmen were never sent over the top without a most careful artillery preparation and a barrage; but American troops in some instances were ordered over with hardly any artillery preparation and no barrage at all. The result is that our casualties were unnecessarily high. That is universally agreed to.

I have talked with aviators who have been credited with five or six German planes, when they admit privately they only brought down one or two. I was told on numerous occasions that it was generally understood that the figures were to be padded. If an aviator came in and said he had brought down a plane he had no trouble in having it verified. This condition prevailed, according to testimony, after October 20. Prior to October 20, when the finish of the war was not in sight, airplane losses had to be confirmed by at least three witnesses. After that time the aviators stated to me the lid was off. Planes and new men were rushed up and the effort was obvious and admitted that the Army was out to pad the records.

I called on Gen. Patrick in Paris and was told by the general of the marvelous accomplishments of the American air forces. I was told how one squadron brought down more than 65 planes and lost less than 10 men; that between two and two and a quarter German planes were brought down for every American plane that was lost. At the front, however, I found facts entirely to the contrary. At the front I learned that the United States had not built and delivered for use against the enemy a single chase plane, or, in fact, a single scater, which planes are called by the English "pursuit" planes. On three separate and distinct occasions the Ninety-sixth Squadron of aviators and airplanes was completely wiped out. On the first occasion a Maj. Brown, with 6 machines and 12 men, flew over the German lines and surrendered. The Germans wrote back a note to the Americans, thanking them for the machines and the men, and inquiring, "What the hell will we do with the major?"

The postal service for the soldiers has been wretched beyond description. I have talked with innumerable soldiers who have never received a letter since they have been in France. As a general proposition, it takes a man three months to write home and get a reply. The postal service our soldiers have received in comparison with that given by the Canadian and British authorities is very wretched. The Army officers and men are disgusted with the lack of consideration that has been given them since the armistice has been signed. First, they believe that it was an act of base ingratitude to deny the right of any man to have a promotion after the armistice had been signed. They believe that a man who fought bravely and made sacrifices and had been recommended for a promotion should receive that promotion to which he was entitled, and that the mere fact of the war being over should not excuse the American Government from giving the reward which had been so justly earned. Secondly, the whole Expeditionary Force is in arms over the lack of ability on the part of the authorities to produce a plan for getting them home. They are aware of the friction that exists between the Expeditionary Forces and the authorities in Washington. They know of the promotions recommended by Pershing, which were added to by the Secretary of War. They know that when Pershing sent home his list of promotions to major general that the Secretary added to this list, and they know that when this knowledge came back to Pershing he ordered these men home. They also know of American officers who made bad "bulls" on the other side and were sent home by Pershing, only to be promoted shortly after their return by the Secretary of War. In fact, it is generally agreed in France that one way to be promoted in America is to be demoted there. All of these matters the rank and file of the Army believe are the cause of the present confusion in getting them home. They believe that the authorities in Washington are perfectly satisfied to indulge in the good old-fashioned game of "passing the buck."

Before I had been on French soil a week I heard so much and saw so much which was strange and new that I felt like a farmer on his first visit to a city.

Take camouflage, for example.

Though there is scarcely a word in the language which has been more used (and misused) since we first heard it during the early days of the war, I found, upon talking with the camoufleurs themselves, that, to make use of an English colloquialism, we had been largely "fed up" on misinformation. Though scores of camouflage stories have been published in our newspapers and magazines, I discovered that of the real work of the Camouflage Corps the public in America was permitted to know next to nothing. Certain of the camouflage operations on our front were

of such vital importance that it was necessary to envelop them in the deepest mystery.

When the war ended the American Camouflage Corps consisted of a battalion of engineers, which was on the point of being expanded to a regiment, under the command of Maj. Evarts Tracy, one of the foremost of American architects.

WIRE, BURLAP, AND FISH NETS.

Figures are, as a rule, dry reading, but they provide the best means I know of giving some idea of the magnitude of the operations of our Camouflage Corps. During the summer of 1918 the battalion used materials per month in the following quantities:

Four million three hundred and twenty-eight thousand square yards of burlap.

Two hundred thousand gallons of paint.

Seven thousand seven hundred fish nets.

Fifty thousand pounds of wire.

Two million one hundred and sixty thousand square yards of poultry netting.

These figures will suffice to give you some idea of the importance attached to camouflage in the Army.

So important, indeed, was camouflage regarded by the German high command that during the last year of the war there was attached to every German division a "security officer," whose duty it was to enforce the rigid observance of camouflage discipline by the various units of the division to which he was attached.

In many instances these security officers watched their respective divisions from observation balloons. They were answerable only to great headquarters, and were empowered, I understand, to recommend the removal of even divisional commanders for disregarding the rules for camouflage discipline laid down by Ludendorff.

Camouflage, it should be kept in mind, is of two kinds: Negative and positive. Negative camouflage consists in the concealment of troops, trenches, mine shafts, battery positions, ammunition dumps, hangars, and other objects whose location it is necessary to hide from the enemy.

Positive camouflage, on the contrary, consists in the imitation or suggestion of troops, trenches, batteries, etc., in certain locations, when in reality there was nothing of the sort there. This deceives and bewilders the enemy.

FOOLING POOR FRITZ.

It occasionally became necessary, for example, to convince the Germans that a large troop movement was in progress behind a certain sector of the front, whereas the real movement was taking place scores of miles away. If it was desired to suggest a movement by rail, smoke pots with clouds of dense black smoke belching from them were placed on flat cars and moved about from point to point on the military railways. German aviators, observing these columns of smoke at numerous points along the railways, naturally assumed that they came from locomotives hauling troop-laden trains, and promptly reported that large bodies of troops were apparently being moved by rail behind the American lines.

Thereupon the German commander would rush up his reserves to resist the attack which he believed to be impending.

Or if it was desired to imitate a troop movement by road the camouflage officer would requisition large numbers of Fords, which would be driven madly along the roads, dragging bundles of brush behind them. The great clouds of dust which thus suddenly appeared on the highways convinced the German aerial observers that the verdammte Yankees were rushing large bodies of troops to the front by bus or motor truck. Fooling Fritz was an amusing and an exciting game while it lasted.

PHOTOGRAPHS THAT LIED.

I might say that the Americans won battles on the western front because they were able to anticipate the German plans as a result of aviation photographs, which disclosed the fact that trains were bringing troops and supplies up to a certain point preparatory to an attack. To simplify the work of the aviators maps were furnished them illustrating the country and all its fortifications, artillery locations, and so forth, as of the day before. The work of the aviator was to note any change on the map.

It has frequently been said that the camera does not lie, but such assertions did not hold good after the Camouflage Corps commenced its operations. Thereafter the negatives brought in by the German airmen began to prove so unreliable that the officers whose business it was to interpret them never knew whether they were telling the truth or not.

For example, it frequently became necessary after heavy bombardments, in which long stretches of our entanglements had been destroyed, to convince the enemy that the wire had been repaired. This illusion was accomplished by the simple stratagem of driving stakes into the ground and festooning them with fish nets (hence the 7,700 fish nets used monthly by the Camouflage Corps), for, in a photograph taken from the sky, fish nets thus arranged are indistinguishable from wire. If such ruses are to deceive the enemy, however, as much attention must be paid to detail in their execution as David Belasco pays to detail in the production of a play.

On a certain British sector a not overintelligent subaltern was ordered by his battalion commander to take a working party and put out some 500 yards of this imitation wire, as there was reason to believe that the Huns, thinking the sector unprotected by entanglements, were preparing to make an attack. Now it is some job, even for a large and well-trained working party, to put out 500 yards of wire in much under a day. Heedless of such minor details, however, the lieutenant gaily slammed in his stakes and spread his fish nets as fast as his men could work, "wiring" the 500 yards of front in little more than an hour. From high in the blue the German airmen photographed the proceeding.

When one set of photographs showed a sector destitute of wire and another set of pictures, taken an hour later, showed the same area with a complete set of wire entanglements, the suspicions of Von Hindenburg's intelligence officers naturally were aroused, and the next morning at dawn the Germans launched the attack. In camouflage work, one can't afford to be slipshod.

The most elaborate camouflage works can be rendered utterly useless, moreover, by the carelessness of a single soldier, for there is little that escapes the eye of the airmen's camera, particularly when it is fitted, as during the latter days of the war, with a stereoscopic attachment.

It was told that in one of the sectors in Champagne the Germans had installed a battery of heavy guns which were so ingeniously concealed that we were unable to locate them. It was believed that they were hidden somewhere in a fringe of woods along a stream; but, though there was a considerable area of cultivated land beyond the woods, the aero photographs of it showed nothing which would suggest a path such as would be made by artillerymen going to and from their guns. One day, however, a new batch of plates, upon being developed, showed a tiny row of dots, no larger than pin points, stretching across this cultivated zone.

Upon studying an enlargement of the picture the intelligence officers became convinced that the line of pin points was really the trail left by a soldier crossing the field. And they led straight to a small wood on the bank of the stream, within which a battery might easily be hidden.

Working on this surmise, the American gunners registered on that particular patch of woods the following morning, whereupon the fire from the concealed battery abruptly ceased. German prisoners captured a few days later explained how the secret of the battery's position had been kept so long. The German security officer had issued orders that the artillerymen must under no consideration walk across the fields in order to reach their guns, but that they must instead follow a much-used highroad until they reached a bridge over the stream, drop from the bridge into the water, and wade up the stream until opposite their position. But one night, an artilleryman, in a hurry to reach his battery, and confident that the tracks left by a single man could do no harm, took a chance and a short cut across the forbidden field.

I have told you what happened to his battery as a result of his carelessness. Knowing something of German discipline, I can imagine what happened to him.

BISCUIT LIDS COVER TRACKS.

But it was not often that the Germans were caught napping, and so ingenious were some of their stratagems and ruses that it required an intelligence officer with the imagination and deductive powers of a Sherlock Holmes to keep up with them.

During the operations last summer on the Flanders front a British aviator brought in some photographs of a certain area behind the German lines. The intelligence officer whose duty it was to scrutinize them detected on the prints a suspicious something, which, he was convinced, was a cleverly camouflaged German battery, but, though it was in the midst of open country, there was no suggestion of a path leading to it. After studying the photographs under a magnifying glass for several hours, he suddenly exclaimed:

"I have it! They get up to the guns on the covers of biscuit boxes."

"What do you mean?" his chief asked, curiously.

"It's as plain as the nose on your face, sir," explained the youngster. "The boche knows jolly well that if he walked across that open ground his tracks would show up in our air

photos. So, when he wants to get up to his battery, he gets a couple of wooden biscuit-box covers and ties strings to them. He stands on one cover and throws the other ahead of him, then jumps to that and drags up the first cover by means of the string and repeats the operation. Deuced clever of the beggars, I call it."

And, as subsequent events proved, the intelligence officer was right in his deduction.

The demands of the armies frequently affected the peoples of far-off regions in the most extraordinary fashion. Last summer, for example, there was some danger of the women of Madagascar having to go naked because their only article of clothing was purchased in such extraordinary quantities by the American Camouflage Corps. The costume of a Malagasy woman consists of nothing more than a three-yard length of native-woven, earth-colored matting. It was discovered that this matting, when laid upon the ground, imitated a path, such as would be made by the feet of soldiers, to perfection. So, in order to bewilder and deceive the Germans, a veritable network of imitation paths was laid down behind the American lines, 10,000 miles of women's dress goods being imported for the purpose from Madagascar.

BURLAP WOODS AND FIELDS.

Should you feel like raising your eyes at these figures, let me remind you that the American Camouflage Section used more than four and one-quarter million square yards of burlap every month. This burlap, much of which was "slashed" after the fashion of foliage props in theaters, was dyed in a great variety of colors, all of which were standardized and could be ordered by number. There were burlaps dyed and slashed to imitate plowed fields, grain fields, roads, lawns, quarries, water, rocks, and spring, summer, autumn, and winter foliage; in short, every phase of nature as found in eastern France.

By far the most important work of the camouflage section was the construction of "false contours" for the concealment of troops, gun positions, ammunition dumps, and the like. A "false contour" can best be described as the prolongation, by means of burlap spread over a sort of trellis made of poultry netting, of a ridge, promontory, or hill, the space beneath this burlap tent, which was dyed to the exact shade of the hill itself, providing perfect concealment for a battery or a battalion. So closely would nature be imitated in the shaping and coloring of these "false contours" that photographs taken by enemy flyers showed only an innocent hillside, with not enough vegetation to provide cover for a sniper.

THE DISILLUSIONED COW.

One of the "false contours," erected by the camouflage corps, was so cleverly executed that a peasant's cow, grazing on the hillside, strayed out onto the burlap surface, broke through, and was extricated only with considerable difficulty. When her pasture suddenly gave way I imagine that that cow had the surprise of her life.

Another development of the war, of which, for obvious reasons, nothing has been said in the press dispatches, was the silhouettes made of painted canvas, mounted on light wooden frames, which were used in the so-called "Chinese attacks"—an idea which we borrowed from the British. When it was necessary to ascertain how quickly the enemy could switch on his artillery fire in a certain sector, or the location of his batteries or machine guns, a hundred or more of these silhouettes, painted to represent American soldiers charging with fixed bayonets would be carried out into no man's land under cover of darkness and laid down in front of our wire in such a manner that they could be pulled upright by means of cords running back to our trenches.

Just at daybreak, at that hour when objects are still indistinct and when the nerves of the men are at the greatest tension, a signal would be given, the cords pulled, and a long line of what appeared to the startled Germans to be charging Yankees would suddenly appear in the mists overhanging no man's land.

Instantly the German trenches would crackle and blaze with musketry, the concealed batteries and machine-gun nests would betray their position by going into action, and by the time the Huns discovered the hoax which had been played upon them our observers had obtained the information which they desired. Sometimes, in order further to chagrin the boches, the silhouettes would be left standing.

PERISCOPE THROUGH BULLET HOLE.

Then there were soldiers' heads beautifully executed by skilled sculptors in papier-mâché. These were of great service in locating snipers. When a German sniper became particularly obnoxious and defied all attempts to locate him a papier-mâché head, crowned by a steel helmet, and made so as to move up and down in wooden guides, would be set up in that part of the trench which the sniper had been annoying.

At intervals the head would be slowly raised and lowered, so that from the outside of the trench it looked for all the world like a soldier peering cautiously over the parapet. Sooner or later the hidden marksman would send a bullet through the careless Yankee's brain. The neat hole drilled through the papier-mâché showed the exact direction from which the bullet came and by inserting in the hole a tiny telescope, no larger than a pencil, and looking through it by means of a periscope, the loophole from which the sniper was firing could be located—in one case such a loophole was cleverly concealed by an old boot apparently thrown carelessly onto the glacis, the sniper firing through a hole bored in its heel—and his occupation abruptly ended.

Though I have described at some length the use of these silhouettes and papier-mâché heads, because they are picturesque and interesting phases of modern war, it should be borne in mind that they were designed to meet exceptional conditions, that they were used infrequently, and that they were in no way typical of the enormously important work of the Camouflage Corps.

Just prior to the Argonne drive there was attached to the Army camouflage school at Langress, as instructor, a young machine-gun officer, Lieut. ——. Before the war he had been an osteopath, and applied, therefore, for a commission in the Medical Corps. The Army Medical Corps does not recognize osteopathy, however, and the commission was refused, whereupon the osteopath, determined to see action, applied for and obtained a commission in a machine-gun battalion.

But as his record card showed that he was a graduate of the Ecole des Beaux-Arts in Paris and had once been a painter he was detailed for duty as instructor in the Camouflage Section. The work of an instructor did not hold enough excitement for him, however, so when rumors reached him that the Americans were about to start an offensive in the Argonne he applied for a three days' leave.

Instead of spending his leave in Paris, as might have been expected, he succeeded in getting a ride on a motor truck which was bound for the front. He possessed no pass or papers of any kind, but he managed to evade the military police, and that night found him cosily ensconced in a dugout of the first line. How he got there without being arrested heaven only knows.

At daybreak the next morning the battalion with which our friend had spent the night went over the top, and, preceded by a fleet of "whippet" tanks, led the American advance against the German positions in the Forest of the Argonne.

RIGHT BEHIND TANK.

Right at the heels of one of the lumbering little tanks was our osteopath. He was not a very impressive figure or one likely to throw fear into the heart of a Hun, for he was considerably below medium height, though stockily built, with light, high-arched eyebrows, light, pompadour-cut hair, and a winning child-like smile, which combined to give him a peculiarly innocent expression. He started out armed with a stout walking stick and an automatic, but as it began to rain he buttoned his raincoat over his pistol; his stick he lost when he fell into a shell hole.

For perhaps a mile the line of tanks, followed by the straggling groups of infantrymen, pressed on, with never a shell or bullet to arrest them. Ascending a steep declivity, however, the advancing troops debouched upon a sort of plateau bordered by dense woods—the Forest of the Argonne.

"Then," as the osteopath put it, "all the machine guns in the German Army were turned loose on us." The atmosphere was filled with bullets. Before the Americans had advanced a hundred yards all but one of the tanks had been put out of action. A steel-jacketed bullet from an antitank rifle tore through the turret of the little whippet behind which the osteopath was sheltering himself and spatterd the interior with the gunner's brains.

Whereupon the machine, now defenseless, whirled like a frightened animal, its steel doors flew open, and the driver, dripping with his comrade's blood, emerged, and without ceremony started for the rear on a run. As for the little osteopath officer, he snuggled up against the abandoned tank, taking care to keep it between him and the German machine guns.

It happened that the tank had come to a halt within a few yards of a clump of trees, and from amid these trees there now emerged a German soldier, unarmed save for the bayonet which he still wore at his waist, and holding his hands above his head in the well-known "Kamerad" attitude.

But when he saw that the tank had been abandoned and that the only person in the immediate vicinity was an inoffensive looking and apparently unarmed American, his attitude under-

went an instant change. Jerking loose his bayonet, he rushed with an angry roar on the American.

Now, my friend the osteopath had, as I have already remarked, lost his stick in a shell hole, and his pistol was underneath his buttoned raincoat. But he did not retreat a step. As his bulky enemy bore down on him the little osteopath snatched off his steel helmet and, holding it by the chin-strap so that it formed a gigantic boxing glove, drove it squarely into the oncoming Prussian's face, breaking his nose and shattering his teeth.

As the German halted, dazed by the force of the impact, the American was on him in a flash, and, wresting away his bayonet, drove it deep into his fleshy neck.

"I knew how to put it in where it would do the most good," the little officer explained modestly, "because, you see, having been an osteopath, I understand the human anatomy."

Now the osteopath, as he remarked afterwards, had gone up to the front for the sole purpose of getting some souvenirs to send the folks back home, and here was a whole heap of souvenirs lying only a few yards away. But, in order to reach them, he would have to leave the shelter of his tank and expose himself to a terrific machine-gun fire. But he had come out to get souvenirs and he was not the sort who balks at obstacles.

So, lying down, he dragged himself, foot by foot, out to the huddled body of the deceased German and proceeded to stock up with mementoes, cutting off the man's iron cross, his epaulettes, and even the buttons from his tunic. Then, with bulging pockets, he started for the rear, while machine-gun bullets kicked up spurts of earth all around him.

And this was the man of whom his commanding officer had once remarked: "An excellent officer, but inclined to lack force and initiative."

The question which I asked most frequently in France, and which has been asked me repeatedly since my return, was, "To what do you attribute the sudden collapse of the German war machine?" And, upon comparison of the various replies which I received, I think that the best answer would be, "Gas, the failure of the submarines, and conscription."

When Germany horrified the world—the civilized world, I mean—by her use of gas at Ypres in the spring of 1915, she little dreamed that she was sealing her own fate. How could she foresee that two years later almost to a day the United States would enter the war against her and that all the chemical resources of America would be turned to making a more deadly gas and far more of it than could be produced by the Huns? By the late autumn of 1917 the United States had built and had in operation the greatest poison-gas plant in existence—a plant with four times the production of all the German gas factories put together. It was the mustard gas from Edgewood Arsenal, on the shores of Chesapeake Bay, which helped decide the issue at Chateau-Thierry and in the Argonne. For whenever an area can be saturated with mustard gas, that area must be evacuated. And the Germans knew—which our own people did not—that when the armistice was signed we had at Edgewood, ready for shipment, 500 tons of mustard gas, with which we proposed to smother the defenses of Metz. And they likewise knew—though it had been kept a profound secret from our own people—that our chemical engineers had succeeded in perfecting a new and mysterious gas of incredible deadliness, against which there was no known method of defense. So before the Germans was the knowledge that sooner or later their armies would be exterminated by the very weapon which they had themselves invented, but which we, thanks to our inventiveness and our unlimited manufacturing resources, had made a thousand times more terrible than anything of which they had ever dreamed.

The second cause of the German debacle was the failure of her submarines to halt or even to retard the river of American soldiery which was flowing Europeward. The American scheme of protection against U-boats seemed well-nigh perfect, for every day brought secret messages to the German great headquarters of the safe arrival of Yankee transports, troop laden, at Bordeau, St. Nazaire, and Brest. The long arm of our Navy was like that of the prize fighter, Bob Fitzsimmons; no blow, no matter how cunning, could get past it. But we did not stop there, for our naval experts argued that to attack is the best defense. So, instead of the U-boats hunting our transports, our destroyers and chasers and seaplanes went out to hunt the U-boats. And, so far as the submarine campaign was concerned, that was the beginning of the end. They tell a story in France—it is only a story, of course, but it illustrates the amazement caused by the safe transport of the American forces across the Atlantic—of a group of officers, allied and German, who were brought together by the parleys which preceded the signing of the armistice. The talk turned on decorations, and, after some urging, a Frenchman told of the deed for which he had been awarded the war cross. An Englishmen modestly explained why his Government had bestowed on him the military cross. Finally the German described the exploit which had won for him the iron cross. "But," he added vehemently, "what I'd like to know is how in hell those Yankees got across."

Congress delivered a solar-plexus blow to Germany's hopes of winning the war when it passed the bill providing for the conscription of every able-bodied American between 18 and 45. The German general staff had admitted that, even in the face of the submarine menace, we might succeed in getting 200,000 men, even 300,000, across the Atlantic. But we sent a million, and after that another million. ("Untrained levies" the Germans called them.) Then Secretary Baker asked, in a ringing speech, "Why stop with an Army of 5,000,000?" And on top of that came the conscription act which would have brought to the colors 10,000,000, perhaps 15,000,000, fighting men. "It isn't an army," a German officer remarked bitterly. "It's a human avalanche. And you can't expect us to fight the forces of nature."

One of the most remarkable accomplishments of America in France, though one of the least known, was the establishment of the great educational system known as the Army Schools of the American Expeditionary Forces, which, when the armistice was signed, were being attended by more than 18,000 officers and men. When Gen. Pershing landed in France, in the spring of 1917, one of the most pressing problems which confronted him was the immediate organization of a system of higher education for officers in various branches of the staff and line. The training which the officers of our new armies had received at Plattsburg and similar training camps was excellent as far as it went, but it was, through force of circumstances and lack of time, of the most elementary character. It had, moreover, been almost wholly along American lines. The commander in chief quickly realized that his officers must be instructed in the methods used by the French and British, with whom they were to fight shoulder to shoulder. And though this was a war of specialists few, if any, of our officers had had the time or the opportunity to specialize. What, for example, did we know of gas warfare, of sapping and mining, of flash and sound ranging, of liaison and intelligence work, of pigeons, tanks, 37-millimeter guns, of transportation by road and rail under European conditions, and, most important of all, of the innumerable phases of staff work as developed by the great conflict? When we entered the war the American Army did not possess a staff manual or a staff handbook of its own. This lack of special knowledge had to be remedied, and remedied quickly, if our armies were to take the field in time to save the allied cause. There was no time to lose. A system of instruction had to be devised and put in operation whereby our officers could acquire in a few months the special knowledge which our allies had acquired in three years of warfare. Langres, a small French town about 20 miles south of Chaumont, which was the American general headquarters, was selected as the center of this "school area." Gen. Pershing did not let the grass grow under his feet when it came to establishing this training system, and in an amazingly short time there had been opened in or near Langres an intelligence school, a sanitary school, a signal school, an engineer school with pioneer, gas, flash, and sound ranging, bridge and mining sections, a school for Infantry specialists, a machine-gun school, a pigeon school, a searchlight school, a tank school, and a school for candidates, at which 6,000 enlisted men, the pick of the American Expeditionary Forces, were trained for commissions as second lieutenants. At the top of this educational pyramid was the School of the Line, where several hundred carefully selected officers were trained in the higher branches of tactics and combat work, and the General Staff College, where the principles of staff work were taught.

Now, there exists, I find, a general and not unnatural feeling that though this enforced training was likely to be a good thing for those who proposed to make the Army a profession it was for those citizen soldiers who propose to return to civil life so much wasted time so far as their civilian occupations were concerned. But I have become convinced that when we have had time to adjust ourselves to the unfamiliar sensation of a world at peace, we will find, among other unexpected things, that the time spent by our officers and men in the army schools of France was very far from being wasted. An officer who, at the General Staff College, learned how to move a division, consisting of 28,000 men, from Brest to Verdun, and provide them with food en route, will by the application of that same knowledge be able to transport tourists from Boston to California or commuters from the South Station to the Newtons and Wellesley. A man who has learned how to build bridges for the use of troops will be able to find employment in the West building bridges for the use of farmers. A man who has in France served as an officer of our military police, or as a provost marshal, or as a town major, will be able efficiently to guard the public safety of an American

community. A man who has been trained to make decisions quickly where the lives of men are concerned should be able to display an equal soundness of judgment where dollars instead of lives are in the balance. I firmly believe that the enforced lessons of discipline, decision, administration, and leadership which our young men have learned in France can not fail to have a beneficent and constructive effect on all their future endeavors.

No one who is familiar with the work of the great Military Academy at West Point will deny that the young men who graduate from it are admirably trained for the business of fighting. It by no means follows, however, that the training which they received at the institution on the Hudson qualified them to supervise and direct those military activities which were, when all is said and done, primarily of an industrial character. Though the War Department had at its command the services of men who had spent their lives in the operation of transcontinental railways, who had built wharves and breakwaters and harbor works on every seaboard of the world, who had designed and manufactured engines of every description, who had directed mills and factories employing thousands of workmen, the responsibility for the construction and operation of our harbors, our railways, and our repair shops was not intrusted to these experts and specialists, as common sense should have dictated, but in every case of which I have knowledge they were made subordinate to a suddenly promoted officer of the Regular Establishment whose previous experience had consisted in fighting bandits on the border, in commanding a remote Army post in the Philippines, or in holding down a desk job in Washington. One of the high officials of the Pennsylvania system, a man with a lifetime's experience in railroading, was given a commission as brigadier general and, it was commonly understood in this country, was in virtual charge of the American railways in France. Yet it is a matter of common knowledge that he was so hectored and hampered by his inexperienced superiors that he was more than once on the point of tendering his resignation. A similar unfortunate state of affairs prevailed, I am reliably assured, during the construction of the great harbor works at Bordeaux, St. Nazaire, and Brest. It was only when failure was imminent, and their own ignorance and incompetence was in danger of exposure, that the Regulars permitted the specialists to have their way. As a result, it was the specialists who did the work and got the results; and West Pointers were specialists in fighting only.

To many of our higher officers, both at home and abroad, has been delegated undreamed-of power and authority. In their own provinces their word has been law—and rightly so. But the war is over now, and the dictatorial powers which they have exercised must end. It is not going to be easy for them to readjust their views and their mode of life. We shall never forget the services which they have rendered us in times of peril, but those services, valuable as they were, will never justify the establishment of anything approaching a military caste in a democracy such as ours. The War Department has, in the past 18 months, become accustomed to the careless spending of huge sums of public money. But, though the emergency which required these lavish expenditures is ended now, the spending still goes on, the War Department justifying itself by the argument that war contracts must be filled, regardless of whether we have any use for the material contracted for; that labor must be placated; that the national industries must not be disrupted by a sudden ending of the spending spree. But I imagine that the American taxpayers, with the largest budget in the history of the world staring them in the face, are quite willing to risk the consequences of an abrupt cessation of war expenditures.

The Secretary of the Treasury wants permission to issue ten billions more in bonds, and ten billions in notes. What a war it must have been. It is over, and the spring financing amounts to $20,000,000,000, on top of all the other billions, and with no end in sight. John Sherman once remarked, when the question of the resumption of specie payments was being discussed, "The way to resume is to resume." And I feel confident that the American people, laboring under an already enormous burden of taxation, will agree with me that the way to stop further military expenditures is to stop.

In France I saw the greatest aggregation of famous soldiers and statesmen ever assembled. On a journey no greater in distance than from Boston to Buffalo I saw representatives of half the armies of the world, still wearing their battered helmets and mud-stained uniforms. Within a two-hours' ride by motor from the French capital I saw a region which four years ago was a veritable garden of the Lord, but which looks to-day as though it had been devastated by a conflagration, an earthquake, a tidal wave, and a cyclone. I heard enough stories of adventure, romance, and peril to fill a dozen volumes, told me by the men who were themselves actors in them. And, to add to the interest, everyone was bursting to tell the "inside" stories of military exploits and historic events and diplomatic mysteries of which it was not safe to so much as whisper while the war was on.

One of the most interesting and least advertised developments of the war was the work of the flash and sound ranging section of the Engineer Corps. Flash ranging means the locating of an enemy gun by the detection of its flash. Sound ranging determines the direction and distance of a gun by its sound. Flash rangings were generally made at night by two or more observers stationed a known distance apart, these observers thus forming the extremities of an imaginary base line. Once the flashes of an enemy battery were "spotted," their magnetic direction could easily be determined by means of compasses. With the base line already known and the base angles thus obtained, a simple calculation in triangulation would determine the approximate location of the guns. So highly was flash reading developed by the Americans that a gun could be located within 5 yards when the "core" of its flash could be seen. Flash ranging was also used extensively in determining the accuracy of fire of our own guns. If, for example, an American battery was firing by the map at a hidden target, a shell would be timed so as to burst at the top of its trajectory, where it could be seen by our observers. If their readings showed the burst at the spot where, according to calculations, it should occur, the gunners knew that they had the correct range, and that their shells, if set with a longer fuse, would burst on the target.

Sound ranging was carried on by methods very similar to those used in flash ranging, except that the readings were made by microphones instead of by observers. The vibrations caused by the reports of the guns were recorded by the needle of the microphone in a series of zigzag lines on a moving strip of sensitized film. With these microphone records as a basis for calculations, it was frequently possible to locate a gun within 60 yards. I was told by British officers that, before the launching of the great assault which resulted in the capture of Messines Ridge, the location of practically every German battery was definitely determined by sound ranging.

Although, during my visit to the front, I was shown dugouts along the whole "Frontier of Freedom," from the North Sea to Switzerland, I had but a slight conception of the amazing nature of the warfare which our soldiers waged beneath the surface of the earth until I learned of the work of the American mining section. France and England early recognized the importance of mining warfare, and organized their miners accordingly, and the United States, upon her entry into the war, did the same, it being estimated that there were upward of 40,000 skilled miners on the western front when the armistice was signed. These soldiers of the pick and drill were brought from the remotest corners of the earth, from the Yukon, the Rand, and the Congo, from Mexico, Australia, and California. The officers of the section were engineers who had had practical experience in all those far-off regions where men seek their fortunes in the earth.

In former wars military mining was almost wholly confined to siege operations—that is, driving galleries under fortified positions and blowing them up. But the great war developed an entirely new system of mining tactics, which included frontal and flank attacks, raids, enveloping movements, and other phases of war as fought on the surface of the earth. "Unlike the soldier who fights above ground," explained an officer of the mining section, "the miner has to be prepared for attacks not only against his front and flanks, but against assaults which may come from overhead or underneath. In other words, he has four flanks instead of two to defend."

A typical mining position, such as would be prepared on an active sector of the front, would consist of an upper level having a series of forked galleries, known as "feelers," with geophone listening posts at their extremities, and a deeper level with numerous "fighting branches" to protect the lower flank. Just as the sentries in the trenches strain their eyes in the darkness to detect any ominous figures in no man's land, so the mining sentinels, crouching over their geophones in the headings of dimlit galleries, strained their ears to catch the faint sounds which gave warning that the enemy was approaching underground. The geophone, which has proved of incalculable value in mining warfare, is an instrument for augmenting small sounds coming through the earth. It has various forms, but in most of them one piece of charcoal is held loosely between two other pieces in such a manner as to be affected by the slightest vibrations conveyed to it by the earth. Connected with these two external pieces is a telephone receiver. When this is placed to the ear the sounds caused by a fly walking on the wooden support of the

geophone appear as loud as the tramp of a horse on a stable floor. If a sentinel on duty in an underground listening post catches through his geophone a sound which is more distinct in, say, his right ear than in his left, he gently shifts the instrument, inch by inch, until the sound is the same in both ears. Then by means of a compass he gets the magnetic bearing of the direction in which he is facing, which is the direction from which the sound comes. Meanwhile sentries in other listening posts are doing the same thing, so that by the coordination of their reports and by a simple problem in triangulation the enemy's gallery can be located within a few yards.

If the mining officer was convinced that the enemy was driving a gallery for the purpose of putting a mine under our position, two courses of action were open to him. He could remain on the defensive and check the enemy's advance by the use of "camouflets," this being the name applied to explosive charges which expend their force laterally, thus destroying the enemy's gallery without causing a crater, or he could resort to strategy and engage the enemy's attention at one point by exploding camouflets or by working noisily, and, under cover of this diversion, drive a fighting gallery toward the enemy's flank elsewhere. In this latter case the most profound silence had to be observed in the fighting branch if the enemy's geophones were not to give warning of its approach. No talking would be permitted, the men would wear felt-soled shoes and work with trowels instead of picks, and the earth would be carried out in cars with rubber tires. So silently would the operations in a fighting branch be conducted that it would break into the enemy gallery without the slightest warning, whereupon would ensue so strange and desperate a battle that it would seem like the creation of a novelist's brain—a conflict waged scores of feet beneath the surface of the earth, by combatants armed with pistols, picks, bombs, and knives, and illuminated only by the flickering light of miner's lamps.

One of the essentials for the success of a mining operation was the concealment of the spoil—that is, the excavated earth—which, if piled in a heap at the entrance to the workings, would be photographed by the German airmen, thus informing the enemy, as unmistakably as though it were announced on a placard, that a mining gallery was being driven. The French, in order to hide the spoil from their mining operations, conceived the ingenious plan of digging a shallow trench, usually only a few inches deep, and lining it with black paper, so that, when photographed from an airplane, it produced the effect of the black shadow cast by a trench of customary depth. They would then distribute the spoil from their subterranean galleries along the sides of this false trench, so that it appeared in the photograph to have been thrown up from it.

Dugouts have become such a commonplace in the past four years that few, save the miners themselves, gave much thought to or had more than the haziest ideas of the time, skill, and labor required in their construction. Take yourself, for example. You have read about dugouts and have seen pictures of dugouts and have probably had relatives or friends living in dugouts. How long, then, think you, would it take a force of skilled miners to complete a front-line dugout large enough to accommodate a half platoon? For your information, I might explain that such a dugout is 35 feet long, 9 feet wide, and 6 feet high, with 17 feet of overhead cover. Using all the men that could be employed, and working from nightfall until dawn, to complete such a dugout would require at least three months. If in the rear area, where the men could be worked continuously in shifts, it could be completed in 30 days. I mention these facts in order that you may realize the incredible labor which was required to provide shelter for the millions of men fighting on the western front. The same labor, could it have been applied to the pursuits of peace, would have built a dozen Panama Canals, a score of transcontinental railways, a hundred good-sized cities.

A recent development of trench warfare, and one of which you probably have not heard, was the introduction of "mobile charges." These consisted of packages of high explosive in 10, 20, and 30 pound sizes which were used by assaulting troops for destroying dugouts, much as depth bombs were used by the Navy to destroy submarines. With the increasing use of these mobile charges it became necessary to design dugouts which would be proof against them. In this work, which was carried on by the mining section, extensive use was made of dogs, experiments having shown that explosions which will rupture the lung tissues of a dog will similarly affect those of a human being. Thanks to the knowledge thus obtained at the cost of canine lives, a type of dugout construction was perfected which afforded the occupants comparative immunity from mobile charges and hand grenades. An ingenious receptacle for this latter form of enemy visiting card was a "bomb pit," which was a sort of small cistern built at the foot of the dugout stairs, into which a hand grenade would fall and explode harmlessly.

Speaking of dogs, a considerable use was made of Airedales, police dogs, and certain other breeds having a high order of intelligence for carrying messages, for detecting the approach of enemy patrols, and for discovering wounded men in no man's land. Very extensive use was also made of pigeons. I have been told that of all the messages instrusted to pigeons by the allied armies during the four years of the war 96 per cent were delivered. They tell the story of an American doughboy, who, before he donned khaki, was a very tough citizen of New York's east end. To him during his battalion's advance was intrusted a hamper filled with messenger pigeons, which he carried on his back. In some manner he became detached from his command and was lost in no man's land, where he was discovered that night by an officer crouching in a shell crater.

"What's that thing you've got on your back?" inquired the officer, not recognizing the pigeon hamper in the darkness.

"They're boids, Cap, boids," explained the former Boweryite in a hoarse whisper. "And dat ain't de woist of it, for I hear they's goin' to give us dawgs."

In these days of materialism it is desirable by way of inspiration to make more than passing note of the wonderful acts of bravery and courage which are well-nigh daily occurrences. Right does, indeed, make might. Perhaps momentarily the act of expediency seems to win, but in the long run, sooner or later, by and large, if one does the right thing one succeeds. Virtue is its own reward. If you cut the corner of honesty and integrity you lose; your sins will find you out. Germany had success figured out as a mathematical proposition. They left out of the reckoning those intangible qualities without which life would not be worth living—honesty, honor, justice, virtue, the God of battles. What was it that made victory on innumerable occasions just elude the Germans? Numerous instances have been related to me of opportunities unimproved which would have given Germany victory. It just did not happen. What kept the Germans from taking Paris in the initial rush? In view of Germany's marvelously sustained effort in all theaters of action it is a difficult thing to explain. We have at least progressed to that point where we recognize that a mysterious thing called morale is one of the most essential elements that create victory. Could it be possible that the Good Book holds the key to the situation, when it says God works in mysterious ways his wonders to perform? Belgium hung onto the Germans three days, just long enough to allow the French to get ready. France just barely held on till England came to the rescue. Italy was saved by a hair, and America arrived just in time to save the allies from certain defeat. Have the days of miracles, indeed, passed? Will all-wise college professors explain all these things away and rob them of their spiritual significance, as they have attempted on so many occasions to do of the miracles of olden time? Sometimes I am fearful of sending my boy to college for fear of the atheism and all-wise self-sufficiency of our present-day methods. What we need to-day in the tangled condition of the world's affairs is the simple faith of Abraham Lincoln.

Kind hearts are more than coronets and simple faith than Norman blood.

The tendency of the age is hero worship, and we jump from crag to crag, like the nimble chamois. False prophets with cure-alls sell their panaceas for various ills. For the moment we have the military bug. Spending the public moneys like a drunken sailor is a passion among the politicians. These vast expenditures should be stopped. The administration, in its extravagant expenditures, started something, as did the Kaiser, that they have not the ability to stop. I am reminded of Seward's famous remark in regard to the question of resuming specie payment at the close of the Civil War. He said the way to resume is to resume, and so I believe the way for America to get back to the simple life of economy and efficiency in our national affairs is to make a start. Stop spending money. Encourage business. Do not antagonize it. Strangle these politicians who cater to men's passions and prejudices rather than to their hearts and consciences. Adopt the rule that Gladstone insisted upon in his home, namely, "Do not criticize unless you have something better to suggest." It is not a crime to succeed. All successful men are not crooks. The question should not be how much have you got, but how did you get it. A year ago the administration frowned on a contemplated American loan to China; within a year thereafter we made a new treaty with Japan, when we agreed, in substance, to close one eye, when peace at any price was our national slogan, while Japan emasculated China. It costs $30,000,000 a day to conduct war, yet we

undertake to run our Diplomatic Service at a cost of $1,500,000 per annum. What is the result? Unless a man has a fortune, he can not enter the Diplomatic Service, and while we may entertain the prevalent fancy that brains just naturally gravitate to the seat of our national affairs at Washington, it is difficult to believe that diplomats with brains instead of social ambition are going to work for a salary that will not pay their living expenses. At the present time a list of the campaign contributions to the preceding presidential election is a pretty sure index of the names of those to be nominated for the Diplomatic Service. Then, again, there is a popular notion that our representatives in foreign countries are to be great entertainers and heroes of the ballroom, and that it would be reprehensible for our Diplomatic Service to be interested in expanding our commerce and trade, yet one can readily see that the expansion of our foreign trade brings increased production to our factories and work for our citizens. What is the Government for—to restrict business or to expand it; to increase the wealth of the country or to devise methods of restricting it; to make prosperity or to play politics? Is it an occupation for theorists and jacks-of-all-trades, or is it an occupation where accomplishment is a recommendation? We Americans need to get down to brass tacks and to eliminate lost motion and empty phrases, and to admit that brains can be utilized even in America's political affairs. There is no Svengali method by which the Government can compel business to increase wages without increasing prices. It can not be done. We have tried it once; it did not work. Chaos is the result. Let us get back to first principles and cut out the soft stuff. Get the boys back here as soon as possible, remove all poster appeals for war loans and illustrated stories of atrocities, and settle down to paying the bills, which is going to be some undertaking in itself.

We should all stand back of President Wilson in his efforts for world peace, because despite the obvious inability of newspaper correspondents in Paris to obtain or transmit all the truth, one fact at least is perfectly clear, namely, the determination on the part of our allies not to yield the fruits of victory for the sake of creating a league of nations. If the peace of the world is to be insured, now is the accepted time, the peace conference is the place, and the American people are the only ones with whom this thought is dominant.

As a matter of fact, the rank and file of the French people do not comprehend what the word "liberty" means—in the sense that we use and know it in America. The ruling class over there have the mass of the people tied up as snug as a bug in a rug. A French employer is really worried if his employee shows signs of prosperity, such as having a graphophone. They say when a man wants to break into politics in France he starts as a radical, but eventually, being "amenable to reason," he becomes a conservative. The cities of France, especially Paris, live on the rest of the country, and the contrast in living conditions is marked. The men of money and influence are slow to loosen up, and the Government is so far removed from the people—the deputies elect the President—that the interest of the employer in his employee is not stimulated by legislation such as we put on the statute books from time to time. That is one reason why the French die faster than they are born. They can not afford to have children.

Somebody asked me on my return to America what difference you noticed as you crossed the line from France into Germany.

My answer was, the greatest contrast I noted upon crossing the line was the presence in Germany of children—kids, youngsters everywhere. As I rode from Strassburg to Metz, through that beautiful territory which was a part of Alsace and Lorraine which Germany had lost forever, I wondered how the French were going to populate and utilize this territory. Perhaps the higher ups will have to step down a bit and extend the hand of relief to the lower downs. At least that is the one best way that occurs to me.

There are countless other things which I might mention, did space and time permit, of my pilgrimage along that zigzag stretch of mud and blood known as the western front.

But the recollection which remains the clearest and the brightest in my memory, when all is said and done, is not of the great French marshal, nor of the glittering pageants, nor the streams of prisoners, nor the shell-torn cathedrals, nor the avenues of captured cannons, but, rather, of the American boys—boys from Boston and New York and Philadelphia, from Seattle and San Francisco and San Diego, and from all the cities and towns and hamlets in between—the boys who have offered everything they had to offer that you and I, my friends, might live in security and peace. I saw them, these fellow countrymen of ours, in many places and under many conditions; I saw them in camps and hospitals and barracks, in mud and snow and rain; no matter where I saw them, no matter how plainly I read in their eyes that they were sick with longing for the homeland, they were always cheerful, courageous, and uncomplaining. No wonder that despite all the mistakes of our generals and the blunders of our military system here at home, these clean-cut, clean-minded, smiling boys have won for America the respect and affection of her allies. After seeing our soldiers in the field, I am prouder than ever to call myself an American. God bless 'em!

The Irish Resolution Will Hurt and Not Help the Hopes of Ireland.

EXTENSION OF REMARKS
OF
HON. RICHARD WAYNE PARKER,
OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On a motion to suspend the rules and pass the following resolution:

"Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace conference now sitting in Paris in passing upon the rights of various peoples will favorably consider the claims of Ireland to the right of self-determination."

Mr. PARKER of New Jersey. Under general leave granted to Members of the House to extend their remarks upon the foregoing resolution, I submit the following:

Mr. Speaker, no greater injury can be done to Irish aspirations than by the passage of this resolution.

No one who considers the subject can fail to agree that except for interference of other nations Ireland would have kept her parliament or would have been granted at least as much autonomy as belongs to Canada and Australia, who can protect their own manufactures and production, develop their own industries, and were not left for centuries, as Ireland was, to be a poor farming country inhabited, except in one or two towns only, by poor peasants and absentee proprietors. I am not making a talk about the tariff, but my old friend, Dominie Robinson, used to say, "If anyone wants to see the effects of free trade in a farming country, let him immigrate to Ireland."

Ireland's miseries for the last 300 years seem to have come directly or indirectly from foreign interference. A Spanish invasion brought on the cruel devastations of the age of Queen Elizabeth; French invasions had much to do with similar savage warfare in the time of Cromwell and James the Second; French intrigues in the beginning of the nineteenth century were perhaps responsible for the abolition of the Irish Parliament; and German intrigues throughout the last great war caused a feeling that both parties in Ireland were under arms. A grant of self-government would probably have been made in spite of the resistance of Ulster if England had not feared that Ireland would become a German military base.

Resolutions of sympathy only do harm unless they are backed up by force. When the United States passed such resolutions as to Poland in Kosciusko, Hungary in Kossuth, the Armenians in Turkey, and the Jews in Russia it simply aggravated conditions by incensing the rulers. The South American Colonies were not freed by American resolutions of sympathy, because Spanish power had been broken down by the invasions of Napoleon and by internal strife. Cuba was not freed by our declaration as to Cuban belligerency, except so far as that declaration angered Spanish sympathizers and brought on the destruction of the *Maine* and the war in which our Army and Navy freed Cuba.

This resolution is no mere resolution of sympathy. It asks that the peace conference, in passing on the rights of various peoples, should consider the claims of Ireland as a right. This peace conference is the most important body in the world. It is called under an armistice to settle a peace with Germany, and it has no other function except to obtain guaranties and indemnities which will make that peace secure. Incidentally, however, it has to reestablish government in the parts of Europe where all civil order has been destroyed by the war. These regions include a broad belt of country extending from the Baltic through Poland, Galicia, the Balkans, Constantinople, Roumania, Persia, Palestine, and the Valley of the Euphrates to the Persian Gulf. The peace conference will settle these boundaries and governments not because of a desire so to do but because it is a necessity of the war. We had to do the same thing in Cuba, holding elections by military authority. We did the same thing in Porto Rico. It caused us a very nasty little war to do it in the

Philippines, but we regarded these countries as being in our hands as a sacred trust and that our military possession placed the duty upon us of providing orderly government. Perhaps the allies ought to have taken possession of the whole of Germany for the purpose of doing this work.

Perhaps if they had done so there would be better prospects now that our boys would come home soon. But surely these problems are great enough without endeavoring to add to them questions as to other countries over which the peace conference has no jurisdiction whatever because they did not come within the field of warfare.

This resolution can do nothing but harm. Proud nations do not brook interference. I remember when we were ready to fight England during the Civil War unless she held her hand, and she stayed it. We all remember that we would hardly have taken the Philippines except for the threats of the German Navy against Admiral Dewey.

One other question, however, that I want to put is, What is likely to occur at the peace table by reason of this resolution? Will England submit the claims of Ireland to the decision of other nations? Will she regard our action as a sympathetic endeavor to stir up further warfare and bloodshed in Ireland? I am not much in favor of a league that is a permanent supernational government. I ask those who do favor it whether England will wish to go into a league if it is to have power over such questions, and could certainly claim power over the Suez Canal, Gibraltar, and India, as well as over the rights of Mexico in territory that we have taken from her? It is not a mere matter of principle, but of practical sense. It may well be questioned whether we desire at this time to embarrass the peace table, on whose successful and unanimous agreement it depends whether our boys can come home promptly and stay at home.

It should be confessed by all that Ireland is sure to have self-government. The land of Wesley and Wellington, Swift and Wolsey; the land that has given marshals to France and Russia, and which has furnished us our host of soldiers and statesmen, and produced her poets, orators, and her long line of patriots; that land will certainly be restored to the right of self-government, so that Great Britain and Ireland would live as sister States, united for the common defense and the general welfare, but independent, as all States ought to be, in local affairs, and especially in the development of their own strength and resources, mental and material. Settlement is sure if others do not interfere.

Diplomacy has learned much in modern days. It has learned to obey some of the ten commandments. It respects truth and other people's property much more than it used to, and it is also learning that there is one commandment as important as any—the eleventh commandant, "Mind your own business." The Good Book tells us that the peacemakers are blessed, but I think this means those who make and keep the peace themselves and not those who are always interfering in other people's disputes. We are at a peace table. Let all that we do be in order to make peace and not to promote further war.

The Presidential Primary.

EXTENSION OF REMARKS

OF

HON. ERNEST LUNDEEN,

OF MINNESOTA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. LUNDEEN. Mr. Speaker, "you are all acquainted with boss politics; bosses have often dictated presidential politics in the past. House file 36 is now a law. It strikes down the all-powerful boss and the people will now nominate their own candidates for President by direct primary vote at the polls. This bill was one of the three most important measures passed during the last session." This was my statement to the people of Minnesota in 1913 on the passage of the Minnesota presidential primary.

The Minnesota bill was based on the Wisconsin-Oregon laws. It was carefully scrutinized and gone over by some of the ablest men in Minnesota. It has stood the scrutiny of some of the ablest committees of three legislatures. The senate elections committee, after a most careful study, made certain amendments to the bill and then voted the same out unanimously.

The following appeared as leading newspaper articles in the Minneapolis press:

State supreme court upholds primary law. Every detail of it O. K., is the ruling as to constitutionality. Candidate for President must file before election is decision. The Minnesota presidential preference-primary law stands. It was upheld in its every section by the State supreme court yesterday. So ends the attempt to overthrow the new presidential preference-primary law.

Minnesota leads in Republican advance. Presidential primary makes difference in attitude toward national committee. Politicians say State's law will guide other States. General use of direct voting predicted by 1916. Minnesota is not going to get excited about anything which the Republican National Committee in session in Washington did. Had the national committee called a national convention, Minnesota would have remained in the same apparently apathetic mood. For, say the political students of this State, sooner or later the national Republican leaders must look to Minnesota to learn the road which leads to party unification. The presidential primary law, which went on the Minnesota statute books last winter, largely through the instrumentality of ERNEST LUNDEEN, its author, is the only road, say local Republican leaders, which can be followed.

Those who believe in the right of direct and effective control of the Government by the people favor a presidential primary law, just as they favor State-wide primary laws. Their influence has brought about the enactment of primary laws in and for a great majority of the States. This action of the people of the various States is a sure forerunner of what is coming nationally. If this Congress does not enact a presidential primary law, some future Congress will, and the Members of this Congress will live to regret their failure to furnish the people with the necessary machinery for taking the nomination of their presidential ticket out of the hands of corrupt bosses and placing it in the hands of the people themselves.

In a statement to the Minneapolis Daily News on February 24, 1916, I gave some facts and figures on the presidential primary law. I said then, and I repeat it now:

DISGRUNTLED BOSSES ATTACK THE PRESIDENTIAL PRIMARY.

Who are the enemies of the primary elections laws? A few there are who honestly oppose election reforms and believe thoroughly in the old boss-ruled conventions. The majority of opponents, however, are professional politicians, who spend most of their time in figuring out methods for stripping the people of all power. These bosses opposed just as vigorously the direct election of Senators, the local and State-wide primary. Now, driven to the last ditch, they are exactly in the same way opposing the presidential primary.

One of the finest compliments to this law is the enemies it has made. They have twisted and distorted the facts and, much to the amusement of those who are familiar with the presidential primary, have appended every adjective of abuse which the dictionary contains. Why all this vituperation? They are being driven from the field, and as they leave they turn for one more outburst against the laws which drive them from power.

To-day more than one-half of all the people of the United States live in presidential primary States. Nearly three-fourths of all the voters now vote to nominate the President by direct vote of the people. Twenty-five States have enacted presidential primary laws.

The Minnesota presidential primary law, for which I am directly responsible and of which I am the author, has been recognized by the 1916 Republican national committee, and the Minnesota delegates will be seated in that convention together with the delegates from 24 other sister States who similarly elect their delegates.

I introduced the bill in 1911 and twice in 1912, all of which times we were badly beaten. In 1913 I introduced the bill a fourth time. We won a unanimous vote in both house and senate, and the bill was signed by the governor.

This law places Minnesota in the front rank of primary States, and Minnesota is now very much in the national limelight by reason of the fact that we here nominate first of all the States.

The election was purposely placed on the town election day, so as to save expense and avoid duplication of work. On the same day St. Paul holds a city election, so that the people are not much inconvenienced by added burdens.

Certain amendments made during the 1915 session seem to have drawn down upon themselves the especial wrath of a certain few. For these amendments I am not responsible, since I was not then a member of the legislature. However, the law as it now stands has been twice unanimously upheld by the supreme court and only recently South Dakota passed the Minnesota statute almost word for word.

If this law is good enough to be accepted by a unanimous vote of the legislature, if it is good enough for the Republican national committee, which is now in sackcloth and ashes since the 1912 Republican disaster; if this law is good enough to be twice upheld by the supreme court; if other States base their laws upon it, it ought to be good enough for the elite of this State.

If the presidential primary is wrong in principle, then all primaries are wrong in principle. Let these men go before the people and state plainly that they do not believe the voters are competent to nominate.

To-day 25 States have the presidential primary, 55,261,362 people live under this law, and 9,522,455 voters will go to the polls to nominate their choice among the candidates for the Presidency. Gov. Wilson was nominated by the New Jersey presidential primary and elected President of the United States.

Senator Cummins, Theodore Roosevelt, President Wilson, William J. Bryan, Senator La Follette, and almost every man of national prominence has declared emphatically in favor of the primary principle as well as the presidential primary. Col. Roosevelt wrote me personally congratulating me most heartily upon the passage of this act.

It will be a fight to the finish. They dragged this law into the courts. The first clash before the supreme court was won by the people. Professional politicians and the big bosses everywhere, with few exceptions, seek to lay low every such law. In the near future an effort will be made to elect men to the legislature who will vote to repeal all primary laws. These men must be defeated, and only those elected who believe with Lincoln—that the people are competent to rule themselves by a majority vote.

You, the voters of Minnesota, must decide this contest. Will you return to the rule of a powerful few in midnight session behind locked doors, or do you wish to do the nominating yourselves? The time has come for the people of Minnesota to decide whether they approve of this extension of the franchise. Will you listen to President Wilson or Boss Murphy, Theodore Roosevelt or Boss Barnes, Bryan or Tammany, Cummins or the reactionaries of this State, the Supreme Court or certain self-appointed judges?

So bitter did their efforts become that one candidate for delegate at large in Minnesota in 1916 actually printed a pamphlet in foreign, unintelligible characters, and entitled it "A full explanation of Minnesota's presidential preference primary law, by one who knows." He stated that the law was unintelligible to him. I met this man and told him frankly that the absurdity of his attack would be resented by the voters. He was badly beaten in an expensive campaign.

In the past others have selected our delegates for us. We now propose to select our own delegates. Is there anything wrong about that? We are in the habit of nominating governors and United States Senators; can anyone advance any sane reason why we should not ourselves directly nominate our candidates for President?

Primary elections have swept the entire country. Conventions are disappearing. Those who fight against this irresistible tide are being thrust aside.

THE PEOPLE TAKE GREAT INTEREST IN THEIR PRIMARIES.

The enormous vote at every primary shows clearly that the voter is interested. Enough electors go to the polls to make the job of a boss decidedly difficult and uncomfortable in these later days.

The people's primary will increasingly become an instrument for political purification and real progress. It is directly in line with the movement to give the voters more direct control of their officeholders and the legislation which means so much for our common welfare. The voters want no hand-picked and boss-guaranteed nominees. They demand the right to nominate as well as the right to elect.

If the people are competent to elect they are also competent to nominate. When the nominations of both parties were made by a clique or group of selfish men under the convention system the election was often a mere rubber stamp on the choice of the bosses, since they often nominate both the Republican and Democratic nominees.

Candidates who must face the people are not so easily managed as they were in the good old days. Their records are now sifted by the voters. A candidate who opposes in the open a policy such as Government ownership of munition plants finds sledding hard, and he who advocates that we must not coin gold out of patriotism for private profit is always opposed by the selfish interests. The primary compels those who are interested in any reactionary scheme to go before the voter and explain his proposition. Many of these musty methods die in the sunlight when dragged from the cellars of intrigue.

Conventions and boss rule belong to the past. Those who wail and gnash their teeth are welcome to that pleasure. Their feeble efforts can not change the course of history.

The initiative and referendum in Oregon—

Says Gov. West, of that State—

have done away with political machines, and politician conventions are dead. There is no lobbying in the halls of legislature, no automobiles or carriages to haul voters to the polls, and every man's vote counts the same whether he is a laborer or capitalist. The Oregon system is not a fad, and, aside from chronic officeholders and "interests" which need protection, there is no opposition in the State to any of the new features of our Government.

The recall applies to every office from constable to chief justice of the supreme court, and yet the exercise of that power has not been abused by the people. When you say that the people can not be trusted, then you say our Government is a failure. As yet there has been no occasion to exercise the function against any court. No judge in our State need fear action on account of a wrong decision in which outside influences can not be shown.

The press of the Northwest, including the three great dailies of Minneapolis, heralded the unanimous enactment of the presidential primary of Minnesota as a distinct step forward. They spread on their front pages articles to the effect that this law placed Minnesota in the spot light. Our State was actually the first to nominate in the 1916 contest, and Senator CUMMINS, of Iowa, was nominated. He was a progressive and indorsed by organized labor. Complaint was at once made that the Minnesota favorite was not nominated—that the law failed to function. As a matter of fact, if Elihu Root and others were afraid of the primary test they were unfit to hold the Presidency, at least from the standpoint of the average citizen. The law placed the primary on town election day, thereby cutting the expense greatly. The enemies of the law tried to secure double pay for all election officials, that thereby the expense account might be increased to the discredit of the presidential primary. This failed in the courts. Assailed from every side, it stood the test. The Minnesota law was copied by South Dakota, where the stand-pat element took their case to the Supreme Court of the United States. Here again the law was declared constitutional.

REPEALED BY THE LEGISLATURE.

When the law had proved itself workable, constitutional, and worthy of being copied by neighbor States, when it had driven the bosses out of their lair, then, desperate and fighting mad, these unscrupulous men took their case to a reactionary legislature. The law was finally repealed after a hard fight in 1917, at a time when the minds of the people were distracted by the world war, and so Minnesota, the North Star State, took one backward step. The governor unfortunately yielded to this reactionary pressure and signed the repeal bill without a murmur.

More lies were told, more falsehoods were related as to the Minnesota presidential primary than any other Minnesota act I ever heard of. May I suggest that this law will soon be back on our statute books, and that those who dare to disfranchise the people will be taking back seats? We are surrounded by States which have the presidential primary almost exactly the law we repealed. We have again been disgraced by the old gang—that unscrupulous crew that would scuttle the ship of State for selfish purposes—and now the reactionary press is starting a hue and cry to repeal all primary laws everywhere. But they will fail. The world war is ended but the battle for greater liberty and the rights of man has only begun.

THE PRESENT FIGHT TO REPEAL THE MINNESOTA PRIMARY.

The presidential primary of Minnesota has been repealed. An effort is now being made to repeal the State-wide primary. This attempt must be stopped. The people alone have that power. The Minnesota House of Representatives has already passed a bill repealing the State-wide primary 78 to 51. The senate is expected to follow suit.

Awake, my fellow citizens! There is yet time before the adjournment of this session of the legislature to defeat this nefarious attempt of the reactionaries to take away from you your right to select your nominees for public office. I feel sure that if the people of the State will convey to their representatives in a positive and determined manner their wish that the State-wide primary law shall not be repealed, that the presidential primary should be reenacted, the men who are now trying to steal their rights from them will not dare to go on with their work.

Minnesota is a great State. All of our people can not go to St. Paul to see that their rights are not destroyed by this theft of their franchise. The people in every community can select one or more spokesmen and send them to St. Paul to personally demand from the members of the house and senate that the wishes of the voters must be respected. If this be done the attempt to kill this good law will stop right where it is. Our legislature will not dare to refuse such a demand.

Let every organization and every individual citizen write or wire to the governor of the State and the senators and representatives of their districts to stop any further steps toward repealing this law.

This is an hour when every red-blooded Progressive in Minnesota, the Nonpartisan League, and organized labor must rally to a common standard and defend the rights of man. Freedom of speech, freedom of the press, and the right to vote are now being gradually destroyed. Fellow citizens, there can be no rest while our liberties are being stolen away.

Two years ago I appealed in vain to the members of the legislature against repealing the presidential primary. I now appeal direct to the people of Minnesota.

Unless the voters take action now these men will hold to their suicidal course until a patient people, finally exasperated, sweep them from their high places. The aristocracy of wealth means to rule or ruin. Their agent, the boss, wears a placid, sardonic smile bordering on contempt for the masses. Let history speak to them words of warning; they hear not, neither do they see. With their feet in the trough, they hear only the sound of their own hoggishness. "Whom the gods would destroy they first make mad." And, like the swine of old, they will dash themselves over the cliffs into the sea of oblivion.

THE CHICAGO NATIONAL CONVENTION OF 1912.

For many years the dissatisfaction with conventions on the part of the people at large has been very apparent. This culminated in the Chicago national convention in 1912. It was my pleasure and privilege to be one of the four men from Hennepin County to represent Minnesota in that convention.

I saw there enough to convince me that the presidential primary was the new order which would soon sweep the country.

I had introduced the presidential primary in 1911, twice in 1912, and I finally secured the passage of the act in 1913. In 1913 not a single vote was cast against the measure in the house committee, in the committee of the whole, nor was a single vote cast against the final passage in the house. The senate elections committee was unanimous for the measure. There was no opposition in the senate committee of the whole. Not one single vote was cast against the measure on its final passage in the senate. In 1916 I ran for delegate to the Republican national convention on a platform favoring the presidential primary and was elected by a large majority. In every speech I recounted my fight for the primary.

New Jersey, Wisconsin, North Dakota, Oregon, Nebraska, Louisiana, South Dakota, Ohio, and Massachusetts already had the presidential primary on their statute books in 1911. Since that time many other States have enacted the law, including Minnesota.

Col. Roosevelt declared for the presidential primary in unmistakable terms. In his letter to me he warmly extended congratulations on the passage of this very act.

Gov. Eberhardt, in a letter sent to A. O. Moerouix, editor of the Luverne Herald, declares for national presidential preference primaries and recommends the Minnesota law as a good one to copy. He further says Minnesota Republicans are in a splendid position when compared with other States. "We have taken the leadership and have set the example by which complete and harmonious unification of the Republican Party may be obtained. Our presidential preference primary solves the problem for us, and if adopted by the rest of the States will solve the question nationally." At another time the governor pointed to this law as a beacon light for other States to follow, "providing," says the governor, "a brilliant opportunity for the people to make possible the unification of the Republican Party by the people themselves." Says President Wilson, "If I had my way I would let no name come before the national conventions except the name ratified at the primaries of the people."

CHAMP CLARK, Speaker of the House of Representatives and a most able and courageous official, has this to say concerning national conventions:

In a convention with fifteen or twenty thousand howling, bellowing, perspiring visitors there is no more opportunity for deliberation than there would be in a boiler factory. There is little hope or chance of reforming the convention system; therefore it should be abolished utterly and presidential and vice presidential nominations should be made by primary elections.

Charles D. Hilles, chairman of the Republican national convention, favored "a uniform presidential primary law which will do away with the present State primaries." He prepared a statement on the subject, and an effort was made to have the national convention go on record as favoring such a measure.

"A progressive paper like the Minneapolis Journal should be in better business than leading a movement to return to the old boss-ruled convention system."—Frank Day, editor Fairmont Sentinel and former national committeeman.

Hon. Jonathan Bourne, jr., in a speech in the United States Senate, said:

The justice of all laws rests primarily on the integrity, ability, and disinterestedness of the individuals enacting them, those construing them, and those administering them.

I think all will concede that the times seem awry. Unrest exists throughout the civilized world. People are speculating as to the causes. Daily uncertainty grows stronger as to future events.

In my opinion the basic cause is that people have lost confidence in many of their public servants and bitterly resent attempted dictatorship by "would-be" political bosses and representatives of special interests who desire to direct public servants and legislation for their own selfish interests rather than assist in the enactment of laws guaranteeing justice to all and special privileges to none.

Successful and permanent government must rest primarily on recognition of the rights of men and the absolute sovereignty of the people. Upon these principles is built the superstructure of our Republic. Their maintenance and perpetuation measure the life of the Republic. These policies, therefore, stand for the rights and liberties of the people and for the power and majesty of the Government as against the enemies of both.

The people have been shocked by the number of business and political exposures which have been brought out in the last 10 years.

In many instances the people have lost confidence in their public servants, the same as many stockholders have lost confidence in corporation management. The remedy in government is the direct selection by the people of their public servants, with the resultant accountability of the public servant to the people and not to a political machine or boss. I purposely use the word "selection" rather than "nomination," for to my mind it more clearly expresses the idea of the responsibility of good citizenship. Selection implies the careful investigation of all and the resultant choice of one. The remedy in corporation management is rigid responsibility to government, equal obedience to laws and equal accountability to stockholders, giving the Government and the stockholders the fullest publicity of its operations, including absolute honesty and simplicity of its accounts, thus protecting the rights of the people and insuring to all the stockholders proportional enjoyment in the fruits of successful management.

There are doubtless some people who honestly believe that the people as a whole have not reached the stage of development qualifying them individually to participate in government. Others whom I credit with the intelligence which I have seen manifested by them in other directions assert the inability of the people to govern themselves as an excuse rather than a conviction; but I, Mr. President, from 30 years' experience in practical politics, am absolutely convinced not only that the people are fully capable of governing themselves, but that they are decidedly the best judges as to those individuals to whom they shall delegate the truly representative power.

Individual selfishness, cupidity, and ambition are minimized in the party or general electorate selections of public servants; good general service is demanded by the electorate, special service by the individual.

Hence my advocacy of popular government. By popular government I mean direct legislation as far as practicable, popular selection of candidates, and such regulation of political campaigns as will secure fair and honest elections. Popular selection under the present stage of evolution of our Government can be obtained only by direct primary laws and complete elimination of convention and caucus nomination of public officers.

I issued a statement to the Minnesota editors early in the fight, as follows:

During the past months we of Minnesota have been entertained by a weak but bitter attack upon our presidential primary law. This law gives every voter the right to nominate his choice for President among those who are candidates for that high office. Eighteen States now have the presidential primary. Millions are voting under it and no State legislature ever dared repeal the law. The national Republican committee has recognized the law in every such State, and in Minnesota, after a well-planned battle in our news columns, our supreme court sustained the law in every detail.

The supreme court also sustained the State-wide primary when that was attacked, and that high tribunal deserves the confidence and praise of every citizen. It has defeated every attempt to limit our franchise. The political boss who operated behind locked doors in midnight sessions no longer dictates the delegates to our national conventions. Is it any wonder that these men in vitriolic sentences urge vengeance upon the law that strips them of their power?

Gov. Eberhardt, in signing, praised this law as an example to be followed by other States. Gov. Hammond favored the presidential primary law. Gov. Burnquist voted for this present primary law. President Wilson, Bryan, and La Follette all have declared for the presidential primary, and President Roosevelt wrote me a letter congratulating me upon its passage. These men will be remembered long after the feeble attackers of the primary principle have completed their pernicious activities.

The law may have its defects; nothing human is perfect. But it was good enough to pass the scrutiny of the Supreme Court of Minnesota. A franchise once given the people will never be rescinded. This law extended our franchise, and I mean to give every ounce of strength within me to see that it stays on the statute books of Minnesota. Let those who wish to fight the law come forth and face the voters at the impending election.

January 4, 1911, the Minnesota Progressive Republican League declared—

Through the control of the government of this State by special interests and professional politicians the people have been denied a State-wide direct primary election law. We therefore most earnestly urge upon the legislature of this State to pass a direct primary election law that will include all elective State officers, United States Senators, and delegates to national conventions, with opportunity for the voter to express his choice for President and Vice President, so that the people of Minnesota may have equal political opportunities with the people of other States.

Senator Jonathan Bourne, jr., in a speech delivered in the United States Senate February 27, 1911, stated that—

The issue before the country is whether popular government, with general welfare its vitalizing force, shall save and develop this Nation, or delegated government, with selfishness the destroying force, shall bring the Nation to inevitable anarchy.

At our March 14, 1916, primary, Senator ALBERT BAIRD CUMMINS, of Iowa, was nominated for the Presidency, and he became the target for bitter ridicule. Yet the progressive record of Senator CUMMINS was one of which any man might well be proud.

Elihu Root refused to file as candidate for reasons best known to himself—no doubt he feared defeat—and CUMMINS was chosen. The President of the United States, however, did file and was victorious.

A NEW PRESIDENT IN 1920.

A presidential election is approaching, and even now men are playing the great game of politics for the Presidency. Shall the election of 1920 be dominated by boss-ruled conventions or shall it be governed by duly elected delegates of the people chosen in presidential primaries? In 1916 Minnesota passed through its first and only presidential primary election. Every boss in the State, every stand-pat newspaper, and every plotting schemer in league with big business rose to jeer and ridicule this law, a law which was based on the present Oregon and Wisconsin presidential primary laws. So successfully did they maneuver their assaults that they bullied the legislature and the governor into annulling the statute. Who will be our next President? Who shall carry the standard? Let him be selected by a national presidential primary. Let him be the people's choice and let him remember that he will sit where Washington and Lincoln once sat. Government machinery will perhaps never be perfect; it can, however, be much improved in the in-

terests of the great American people. We face to the East and move forward!

The time is ripe, and rotten ripe, for change;
Then let it come; I have no dread of what
Is called for by the instinct of mankind.
Nor think I that God's world would fall apart
Because we tear a parchment more or less.
Truth is eternal, but her effluence,
With endless change, is fitted to the hour;
Her mirror is turned forward to reflect
The promise of the future, not the past.
I do not fear to follow out the truth,
Albeit along the precipice's edge.
Let us speak plain; there is more force in names
Than most men dream of, and a lie may keep
Its throne a whole lot longer if it skulk
Behind the shield of some fair-seeming name.
Let us call tyrants tyrants, and maintain
That only freedom comes by grace of God,
And all that comes not by His grace must fail,
For men in earnest have no time to waste
In patching fig leaves for the naked truth.

—James Russell Lowell.

APPENDIX.

[From McClures.]

THE CHAOS IN NATIONAL POLITICS.

In 1896 Mark Hanna gave up the coal and iron business, and—seeing there was no rational method of choosing Presidents in the United States—decided to choose them himself. He had worked out the possibilities of the Republican national convention.

This convention is probably the most extraordinary political institution on earth. In the first place, it has chosen for 50 years the most powerful ruler in the world; for it has named every President of the United States, except one, in the past two generations.

In the second place, it is under absolutely no legal control in doing this. No State has any power over it; it is a thing outside of States; the National Government has no jurisdiction over it, for the United States—by the terms of its eighteenth-century Constitution—is given no authority over the election of its Presidents. The national convention which names them is a so-called voluntary association, an independent, self-governing body, which makes its own laws. If it required that all its members must balance themselves five minutes on their thumbs before becoming eligible to nominate Presidents, it would be perfectly within its rights.

In the third place, this national convention is an absolutely unrepresentative body. Other political conventions are made up of delegates each one of whom represents a certain number of party votes. The national convention is made up on the plan of the Federal Congress—two delegates for every United States Senator and Representative in the country, and a few extra delegates for Territories and Districts. About two thirds of these men are elected by the voters of the Republican Party; the other third, in the South and Federal districts, where there is no Republican Party, in practice elect themselves.

HANNA STARTS THE "STEAM ROLLER."

Hanna, being a practical man, very soon brought to a full system the possibilities which were always in the Republican national convention. He made a business contract with the self-elected delegates in the South and other places for their votes; he then secured control over the Republican national committee, which has the power to make up the "temporary roll" of the convention—that is, to decide in case of contest which delegates shall be admitted to it.

Hanna nominated and elected McKinley, and established the system of choosing Presidents—now known as the "steam roller"—which has named every President of the United States since that time. Its operation is this:

The President of the United States and his agent, the chairman of the Republican national committee, appoint to Federal offices the men, in the sections where there is no Republican Party, who are capable of electing themselves delegates to the national convention; these delegates repay them with their votes at the next convention to nominate a President. In this way the President and chairman practically appoint nearly one-third of the delegates in a national convention, and vote them as they choose.

If this does not give them enough delegates, they have in reserve the control of the national committee, which is committed to go as far as possible in seating their delegates, as against others contesting their places.

With these two instruments the weakest President can scarcely fail to win a majority of a national convention, nominate himself or his candidate, and choose his own national committee again. With the patronage of the country in his hands to dispense, he has all the time nearly a majority of a national convention in his employ.

McKinley was murdered, Hanna died, and the control of this Federal machine passed from them to Roosevelt, and from Roosevelt to Taft. Under increasing Republican majorities it grew stronger every year. And so at last the present year for choosing another President came.

HOW OUR PRESIDENTS HAVE BEEN CHOSEN.

The process was begun early in 1911—months before action was legal—by overeager professional delegates in the South electing themselves to the Republican national convention. Then came, in early December, the national committee's call for the convention, and the old machine started briskly to work to select the next President, starting in the usual place—the section of the country where there is no Republican Party.

Now, this machine of professional delegates is a very dominant and definite organization. At its head is the President, and the chairman of the national committee, whom he appoints. From the chairman the orders are sent to a curious, quasipublic official, the State "referee."

A "referee" is the dispenser of Federal offices in the Southern States, where there are no Republican Senators and Representatives to indicate who shall have them. He is usually a member of the national committee from the State. Under him are the officeholders whom he selects, who are the same men that control the Republican Party machinery, and elect themselves and their dependents delegates to the Republican national convention.

The Federal manager of the professional southern delegates this year was Charles D. Hillis, first the President's secretary, and now chairman of the national committee. It was clear from the beginning that the machine had difficult work before it. President Taft had not been very tactful in its management, but, far worse than that, there was a general fear in the machine that he would probably not be reelected. And then, in the last of February, ex-President Roosevelt, formerly in control of the organization, appeared as a party candidate against Taft. The organization was threatened with disruption. Its management began early and forced to the limit those singular travesties on representative government—the southern conventions to nominate delegates to the Republican national convention.

MANUFACTURING SOUTHERN DELEGATES.

In many cases it was simply necessary for the manager of the convention district to send out his invitation to a few picked friends and hold his convention—as in former quieter years. In many cases—on account of the unusual competition—it was necessary to issue badges or tickets admitting into the convention halls only the delegates desired. In other cases, where negroes were not desired, the conventions were called in places where negroes dared not go—the "white men's towns" of the South.

Generally speaking, the old Federal machine did its work successfully in the South. Three or four "referees" of States went with the Roosevelt cause, but the majority stayed within the old ranks. And where there were revolts, new temporary managers were put in charge of the Federal officeholders of the State, and the regular operations of the machine went on.

But in the meantime a more threatening movement was developing. The actual Republican Party in the North was attempting to force a form of representative government in the choice of a President—the new form of the presidential primary. In spite of the opposition of the Federal machine to these primaries many laws were passed allowing them; a dozen States expressed their preference for the presidential candidate by direct vote, and half a dozen more gave a partial expression. In all, States casting between a half and two-thirds of the Republican votes for President expressed their preference and voted more than 2 to 1 against the nomination of President Taft. It was now the time for the Republican national committee to begin its work.

The leaders of the committee came together to consider the situation. A canvass of the committee was made, and 33 of the 53 members were found to be ready to "go down the line" for the administration, in deciding the cases of contested delegates. Half a dozen more could be counted on in nearly every case.

THE OLD MACHINE'S LAST STAND.

The elections of delegates ended, and the national committee met to make out the "temporary roll" for the national convention. It was now clear that only through their efforts could the administration get the 540 votes needed for a majority. The first act of the committee was to pass two rulings. The first of these made it impossible for the minority of the committee opposed to the machine to debate on any contest; the second prevented them from putting on the record the votes of the individual members of the committee. The thirty-odd members of the machine moved as a body, anonymously and in silence, to elect the majority it needed.

There was never any doubt of the fact that the great majority of the Republican Party did not want the President renominated. The difficult question was whether the national committee could force out enough delegates from the contest to make a majority of the delegates. It finally was able to do this, and the official candidate was nominated by a margin of 21 votes out of 1,078. A national committee which could be counted on was again elected; and the convention adjourned with the old mechanism intact. But it was no longer a machine which would choose a President. That machine was destroyed, and with it went the whole scheme of party government in choosing a President.

The majority of the Republican Party had found it impossible to register its will; the national convention was not, and never had been, a representative body. So the Northern States simply withdrew. And immediately the whole structure fell to pieces, and with it the Republican Party, which had governed the country for half a century. The old self-governing machine had been entirely independent of law; when it split, it had no rights under law—not even to its party name.

The election of Presidents in the United States—under the provisions of the Constitution—is really a series of State elections, carried on by State parties. Now, at the beginning the parties of States were voluntary associations—exactly as the national organizations are now. But gradually the States regulated and recognized them by law. And so, when the national Republican Party flew to pieces, the fragments became at once State parties.

No one voted for a President of the United States; the vote is for electors—a set of State officers equal to the State's representation in Congress; and these men choose the President. They are, in fact, a part of the outworn machinery of our old United States Constitution—being State delegates, expected to exercise their own judgment in selecting the Nation's President. For a century the practice has been for each State party to nominate its own electors, these electors to be pledged to vote for the candidate of their national party.

For a century there has been no case of consequence where the elector refused to vote for the candidate of his party. But, with the dissolution of the national Republican Party in Chicago, the elector became again the representative of the party in his State; there was no national law touching the subject of his obligation; and no State law would recognize the unlegal national party against the legal party within its own borders. The electors for President will vote according to the sentiment of their State—in some cases according to their own judgment of the situation. The old machine stands aghast; it is absolutely helpless.

THREE PARTIES—AN IMPOSSIBLE CONDITION.

It has done more than this, however. It threatens to break down all our antique machinery for choosing Presidents. For to every appearance a strong new party is in the process of creation; and the mechanism for electing Presidents in the United States is not equipped to deal with more than two strong parties in choosing Presidents.

In the last of the eighteenth century, when our Constitution was made, public officers were generally elected by majority vote. Since then, in practically all political contests, a mere plurality vote has been sufficient for election. But for the election of the President of the United States a majority is still essential. To be elected requires a majority of the electors from the different States. This, with three parties of approximately equal strength, would quite often be impossible.

In case of no majority in the electoral college, the Members of the House of Representatives, casting 1 vote for each State—must choose a President, by a majority vote, from the three leading candidates. With three parties a majority would easily be impossible here.

In case of permanent failure to elect a President an attempt would be made to choose a Vice President who would act in his place. But that with three parties might be equally impossible, for the same majority vote is required first from the electors, and then, in case of failure, from the United States Senate. A deadlock like this would leave the country without a President.

It is not impossible that such a deadlock may come this fall. In the easily conceivable case of no one candidate getting a majority of the electoral votes, it would very likely come. The House of Representatives, as it now stands, has 22 State delegations which would vote Democratic, 22 which would be Republican, and 4 in which the Members are tied. A similar situation exists in the Senate, where there is a nominal Republican majority but where the split between the Republicans has already for two years made it impossible to get a majority to elect a temporary President.

Such a deadlock may not come this fall; but, with three national parties, it may come any time. And when it comes—probably not before—there will be an overhauling of our antiquated methods of choosing Presidents by an amendment of our Constitution.

Meanwhile the new movement for popular government pushes on, tearing the old unrepresentative forms to pieces as it goes. The result for the moment is political chaos. It will be worse and worse confounded until rational and thoroughly representative machinery of government is provided.

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[From La Follette's, Apr. 8, 1911.]

THE PEOPLE AND THE PRESIDENCY.

You should know the National Progressive Republican League. You should know its great purpose. This organization marks the first national, virile, and promising movement for representative democracy in this country since the Declaration of Independence.

"The object of the league," declares its declaration of principles, "is the promotion of popular government and progressive legislation."

ORGANIZERS OF THE PROGRESSIVE LEAGUE.

The subscribers to its declarations of principles and organizers of the league are men known to the country as exponents of real democracy. Its officers are: President, Senator Bourne, of Oregon; first vice president, Congressman NORRIS, of Nebraska; second vice president, Gov. Osborn, of Michigan; treasurer, Charles R. Crane, of Illinois; secretary, Frederic C. Howe, of New York. On its executive committee are Senators Clapp, of Minnesota, and Bristow, of Kansas; and Congressmen Hubbard, of Iowa; LENROOT, of Wisconsin; and Kent, of California; and the "founder of conservation," Gifford Pinchot, of Pennsylvania, and the leader of Progressive Republicanism in New Jersey, George L. Record, of New Jersey.

Other Progressive Republican United States Senators among the founders of the league are Dixon, of Montana; Beveridge, of Indiana; GRONNA, of North Dakota; CUMMINS, of Iowa; and LA FOLLETTE, of Wisconsin. The charter membership of the league includes also a score of Progressive Republican Congressmen, as well as several Progressive governors of States and a number of leading citizens in private life from Maine to California, leaders in the nation-wide struggle to reestablish in place of Aldrichism and Cannonism the true Republicanism of Abraham Lincoln.

THE FUNDAMENTAL IDEA.

Not merely because it is an organization, a banding together of recognized leaders in public affairs, leaders who enjoy the confidence of the people, but more because for what the league stands for is its organization so important, so portentous. Its program is one idea—the only dynamic, militant, growing idea in American politics to-day: The people shall control their Government; "the will of the people shall be the supreme law of the land."

For "the promotion of popular government" this organization advances five concrete proposals, each applying the fundamental idea in effective practical terms to the correction of important defects and commissions in the system of government.

THE PROGRAM.

First. United States Senators shall be elected by direct vote of the people. Thus the Senate, the great citadel of privilege, shall be made responsible to the people and responsive to their demands.

Second. All elective officials shall be nominated by the people in direct primaries. Thus shall the power of the system and its "bosses" to control, through the caucus and convention system, the nomination of party candidates for office be destroyed.

Third. The people shall elect their delegates to national conventions and have the opportunity to express at the polls their choice for party candidates for President and Vice President. Thus shall the people have the power now exercised by system-controlled conventions to name the men from whom the people must choose their Chief Magistrate. And of this we have more to say in this roll call.

Fourth. State constitutions shall be amended to provide for the initiative, referendum, and the recall. Thus shall the people be empowered directly to exercise their will in making the laws under which they are to be governed and to remove from office unfaithful public servants.

Fifth. A thoroughgoing corrupt-practices act shall put an end to the power of dollars and corrupting influences as controlling forces in government.

Here, then, is a program based upon a single principle, upon that fundamental tenet of the Declaration of Independence, that governments "derive their just powers from the consent of the governed." Government must always in the main be exercised and administered through agents acting for and under the authority of the people. History demonstrates that these agents of government faithfully represent the people only when their authority and opposition are derived from the people and subject to the control of the people. The program of the National Progressive Republican League proposes to apply this principle to every elective office, from the President of the United States down.

It sometimes happens, as it happened in 1904, that a national convention, although dominated as to its organization and control by a system machine, accedes for political expediency the nomination of a popular candidate, but such a result under the present system of nominating presidential candidates is the fruit of political chance rather than a concession to the public wish. In a national convention the voice of the people is rarely heard above the din of the "steam roller."

IMPORTANCE OF THE PRESIDENCY.

The office of President of the United States is a position of vital strategic importance in the control of the Government of ninety millions. Students of political institutions tell us that the Chief Magistrate of the United States possesses more arbitrary power than the head of any other civilized government in the world. History shows that the President's power of veto on legislation is almost an absolute power. History, and particularly current history, demonstrates the President's absolute power of veto by nonadministration of the laws. If the people succeed in forcing Congress to enact just laws in the public interest, the laws themselves may be defeated by the President and the Cabinet officers appointed by him by simply neglecting their enforcement. The President takes no oath to execute the laws of Congress. The only recourse left to the people under the Constitution is impeachment, and again history shows that it is a practical impossibility to impeach a high executive officer of the Government.

Nor is the power of the President measured by his legislative and administrative veto. By the use of his power to control patronage he may and has exercised sinister influence in legislation. Witness the following from the now famous "Beverly letter" written by Secretary Norton:

"While Republican legislation pending in Congress was opposed by certain Republicans, the President deemed it to be his duty to the party and to the country to withhold Federal patronage from certain Senators and Congressmen who seemed to be in opposition to the administration's efforts to carry out his promises of the party platform."

Of course, in determining his "duty" in the premises the President was guided by his individual judgment and the counsel of his system advisers.

Wholly aside from the bribery of patronage, Presidents may, and at times have, by the exercise of the powerful influence of their office, spoken the deciding vote in the enactment of legislation.

PRESIDENT NOT AMENABLE TO THE PEOPLE.

It was urged in behalf of the adoption of the Federal Constitution that the desire of the President for reelection at the end of his four years' term would make him amenable to the public demands. This safeguard has been destroyed through the extra constitutional agency of the political nominating convention. The modern development of political partisanship, dividing the people upon obsolete issues and along sectional lines, places in the power of the incumbent of the presidency through the control of patronage and the "Federal machine" the dictation of his own renomination by a political convention held during his term as President regardless of popular approval or disapproval of his conduct in office. Frequently at the end of his second term, when, according to unwritten law, he can not again succeed himself, this same power enables him to dictate the nomination of his successor.

It is the common experience that people do not correct evils in their established institutions out of a deference merely to principles. Recognized wrongs are generally submitted to until the people are driven by some act of oppression to take measures for their correction.

A WRONG AND WHAT CAME OF IT.

In 1904 the lawfully constituted Republican convention, representing the majority of the Republican voters in Wisconsin, chose delegates to the Republican national convention. A minority of the State convention, representing system interests in politics, unable to control the convention of the party, organized a bolters' "convention," which nominated a candidate for governor and named delegates to the Republican national convention to contest at Chicago the seating of the delegates at large accredited from the duly constituted convention.

The delegation from the bolters' "convention" was headed by conspicuous servitors of the system. The system-controlled committees of the national convention, after a sham hearing of the contest, as a matter of course, seated in that convention the delegates at large of the system bolters' "convention" from Wisconsin, declaring that this was the real Republican State convention.

Afterwards the State Supreme Court, in an action involving the election ballot, held that the "convention" which sent to Chicago the delegates who were seated by the system-controlled committee of the national convention was not the Republican State convention of Wisconsin. Afterwards the Republican electors at the polls gave to the candidate for governor of that alleged "convention" 12,136 votes, as against 227,253 votes given to the candidate nominated by the convention whose delegates were thrown out at Chicago.

The Legislature of Wisconsin elected at the same time, in response to the outraged public sentiment of the State, enacted chapter 369 of the Laws of Wisconsin for 1905, by which the people of Wisconsin by law took into their own hands at their general primaries the business of choosing delegates to national conventions, the first law of its kind in the United States. Under this statute the voters of Wisconsin themselves chose their delegates to national conventions in 1908. The delegates thus chosen by the voters at their party primaries represented the Republicans of Wisconsin in the Republican national convention of 1908, and they presented to that convention the now justly famed minority platform of progressive planks in the public interest.

THE OREGON LAW.

When, in 1908, the machine-controlled State convention instructed delegates to the national convention in behalf of the candidate whose candidacy did not have the approval of the people, the people of the State by initiative legislation enacted a law providing, like the Wisconsin law, for popular election of delegates to national conventions, and in addition providing for a popular election by the voters at the polls of their choice for candidates for President and Vice President. Upon the returns every elected delegate is required to subscribe an oath of office that he will "to the best of his judgment and ability faithfully carry out the wishes of his political party as expressed by its voters at the time of his election." With such a law in operation in every State the national political convention will become, as to the nomination of party candidates, like the constitutional Electoral College, merely an instrument for registering the people's choice.

SENATOR BOURNE'S SPEECH.

In his speech in the Senate on the 27th of last February, Senator Bourne, of Oregon, in discussing the Oregon presidential preference law, analyzed conditions which, in addition to the general criticisms that apply generally to the caucus and convention system, operate to make national conventions hopelessly misrepresentative. From his speech we print the following:

"Mr. President, the most important measure enacted or adopted by the people of Oregon at the recent election, and, in fact, next to the initiative and referendum, the most important law enacted by any State in recent years, is the law permitting voters in party primaries to elect their delegates to national conventions and to instruct them through popular expression of choice for President and Vice President. This law, when enacted in all States, will absolutely destroy the power of Federal machine to renominate a President or determine his successor. The 'steam roller' will be relegated to the political scrap heap and its operators to the shadow of things forgotten, while fourth-class postmasters will, as they should, cease to be a political asset for anybody or any party.

"In the light of past experience it seems to me this plan should appeal to all patriotic citizens as well as to conscientious partisans. It is a well-recognized fact that nominations by national conventions are the exclusive work of politicians, which the electorate of the whole United States is permitted only to witness in gaping expectancy and to ratify at the polls in the succeeding November. As unrepresentative as this feature of the national convention is, its flagrancy pales into insignificance in the presence of that other abuse against partisan conscience and outrage upon the representative system, which is wrought by the Republican politician in hopelessly Democratic States and by the Democratic politician in hopelessly Republican States in dominating the national conventions with the presence of these unrepresentative delegations that represent neither party, people, nor principle."

When Senator Bourne referred to the Oregon presidential preference law there was recognition from an unexpected source of the truth of his charge of the misrepresentative character of national conventions. Senator Hale desired Senator Bourne to "explain the provisions of this scheme of his that will prevent, in the national convention, representatives of the administration, whichever it may be, Democratic or Republican, who represent no electoral votes but are counted whether in one convention of the Republicans or in the other convention of the Democrats—delegates who represent nobody, and yet who may control the choice." In answer Senator Bourne had printed in the RECORD with his speech the Oregon law in full.

THE "FEDERAL MACHINE."

"The President of the United States," said Senator Bourne, "through his power of nominating Federal appointees, is the head of the greatest political machine the world has ever seen. Whether the President is a shrewd politician directing the machine himself or entirely ignorant of politics and delegating the power to another, the system is most pernicious.

"Statistics compiled by the Civil Service Commission, but acknowledged to be incomplete, show that on June 30, 1910, the number of employees in the executive civil service was 384,088. This does not include officers or enlisted men of the Army or Navy nor clerks in fourth-class post offices, the latter numbering about 64,000.

"The utilization of this force along selfish lines would be most dangerous, pernicious, and demoralizing. An Executive desiring to misuse this power would, in effect, start with a campaign contribution of $345,000,000 per annum and an organization of 384,000 individuals, all directed toward selfish interest, namely, perpetuation of the power of the Executive and of the individuals owing their position and advancement of this power.

THE NATIONAL COMMITTEE.

"The Republican national committee consists of 53 members, one from each State, Territory, District, and island possession. The Territory of Alaska, with no electoral vote and but two delegates in the convention, has the same representation and power in the national committee as the great State of New York, with 39 electoral votes and 78 delegates. The committee elects its own chairman and perfects its organization. It decides on place and time of convention. It recommends how many delegates shall be admitted from each State and Territory, how the delegates and alternates shall be chosen in the various States, how the delegates from Territories shall be selected, and recommends who shall serve as temporary chairman of the national convention. The chairman of the national committee calls the convention to order and generally directs the campaign.

"In the Republican national convention committees on credentials, permanent organization, and resolutions are composed of one delegate from each State and Territory. Each State selects its own representative on these committees and offers them to the convention. The committee on permanent organization recommends the permanent chairman and confirms the other officers who are recommended by the national committee. Control of the national committee by the administration gives tremendous power, which is made absolute if combined with control of the committee on credentials. If the operators of the machine find that, even with the advantage of control of delegations from the Democratic States and Territories, they will not have enough votes in the convention to control its action, contesting delegations will appear from a number of States, by seating some of which the necessary additional strength may be secured.

CONVENTION MAJORITIES.

"National conventions are not representative of the wishes of the members of the party who are depended upon to cast the votes to elect the ticket. In the 1908 Republican national convention 980 delegates were admitted under the terms of the national committee's call; 491, or a majority, were necessary for a nomination. The Southern States and Territories, giving no electoral votes, with the exception of Maryland, which gave Taft and Sherman 2 out of 8, had 338 votes, leaving 153 to be secured to give a majority. Thus, it will be seen that under such circumstances any candidate controlling the delegations from Southern Democratic States and Territories would have to secure only 153 votes, while any other candidate would have to secure 491 votes from those States which give electoral votes as well as delegates.

Under the referee system in the South and the patronage system in the Territories and insular possessions, a President, through his nominating power and the Federal machine, can, if he desires, practically control the votes of these delegations in a convention. Then, with his power in other States, and the tremendous influence of the Federal machine, it requires but little other influence to give him the 153 additional votes necessary for his renomination or the nomination of the man he selects. The Southern States and Territories, giving no electoral votes to the Republican Party, are under the domination of the machine through the referee system, and have greater influence in naming the Republican nominees for President and Vice President than have the combined States of New York, Pennsylvania, Illinois, Ohio, Massachusetts, Indiana, and Iowa, which collectively have 334 delegates.

TRUST THE PEOPLE.

"Proud of American institutions and of every page of history that records their progress, I have been loth to point to evils that exist. Preferring peace to controversy, I have long delayed public utterance of views frequently expressed to Members of this body. But putting aside personal inclinations and placing public welfare above all else, I have endeavored to present what appear to be facts regarding gross abuse of the presidential appointing power.

"I have confidence in the intelligence and honesty and resourcefulness of the American people. They have capacity to judge whether trading of Federal patronage for votes in Congress or in convention is either constitutional or wise. They have the honesty and the courage to make their opinions known, and they have the resourcefulness to find means to express their views. We will leave the subject to the judgment and conscience of the American people, knowing that in their own time and in their own way they will voice their desire and enforce their will."

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[From Collier's, Vol. XLVIII, No. 7.]

NAMING THE NEXT PRESIDENT.

[By Mark Sullivan.]

The two candidates for President next year (1912) will be chosen by the two great national conventions next June or July. The delegates to these two conventions, in most of the States, will not be chosen by the people; in some, they will be chosen by the local bosses; in others, by Federal officeholders, grateful for past favors and hopeful of future ones. These delegates will go to the conventions and will vote as their particular State bosses tell them, and, when the convention adjourns, the party nominee will be, not the choice of the individual members of the party but the net result of the private negotiations of the various bosses, with just so much prudent deference to popular sentiment as seems necessary. (Back of the bosses, of course, will be the big corporations.) That is the old way of nominating candidates for the Presidency.

THE NEW WAY.

In a few States where the direct primary idea has penetrated deeply a new system will go into effect the coming year. In New Jersey, Nebraska, North Dakota, Wisconsin, and Oregon the individual member of the Republican Party will go to the polls and say whether he wants Taft or La Follette or some one else to be the Republican nominee for the Presidency. And when the national convention meets every delegate from those States must vote as the majority of the Republican voters in his State have told him to vote. Similarly every Democrat in the States named will have the chance to go to the polls and say whether he wants Harmon or Wilson or Clark or Underwood or Folk or Bryan to be the Democratic nominee.

LOGIC.

There is no escaping the logic of the presidential primary. If it is right for the individual to vote at the election, why is it not right for him to vote at the primary also? If the individual is capable of choosing between Taft and Harmon—assuming that they are the candidates at the election—why is he not also capable of choosing between Taft and La Follette, between Wilson and Harmon?

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[From La Follette's, Dec. 20, 1913.]

THE PRESIDENTIAL PRIMARY.

Mr. Wilson's recommendation for the nomination of presidential candidates by direct vote strikes at the root of a great wrong. If government is to be brought back to the people it is quite as important to make the executive department serve public interest as it is to make the legislative department serve public interest.

After a struggle of 80 years we have finally achieved the election of United States Senators by direct vote. The States will soon have provided for the nomination of all Senators and Representatives in Congress by the direct method. In the end this will make the will of the people the law of the land. But the best legislation which the wit of man can devise will fail to give us representative government unless the laws are executed in the same spirit in which they are enacted.

The Sherman antitrust law placed in the hands of the Executive the strongest, most perfect weapon which human ingenuity could forge for the protection of the public against the power and sordid greed of monopoly. That weapon was permitted to rust in its scabbard almost unused while criminal conspiracies against the free markets of our country thrived on every hand, made bold by Executive indifference or openly encouraged by Executive sanction.

The gravest problems confronting the American people to-day are in no small part the direct result of Executive failure to enforce the law prohibiting combinations in the form of trusts and conspiracies to suppress and destroy competition.

Upon President Wilson falls the burden of all that his immediate predecessors in office left behind them as the result of an effort to establish national prosperity through the benign influence of the Morgans, the Harrimans, and big business generally.

The power of these men and the great combinations back of them would not have been so effective with Presidents and Cabinets in the past if there had been no national conventions subject to their control.

Through their henchmen they have managed the election of national delegates, selected national committeemen, manipulated the organization of national conventions, made or modified platforms to their liking, and been close at hand when combinations were effected which settled the choice of presidential candidates.

No man who witnessed the proceedings of the Republican convention at Chicago, where fraud and deceit were almost evenly matched and the precious rights of 7,000,000 Republicans were trampled under foot in the mad strife between two candidates who cared only to win a personal victory—no man who witnessed that contest could ever wish to see another presidential nominating convention in the United States.

At best a nominating convention is never a deliberative body. Its work is hurriedly performed. There is no time for a calm, judicial determination of even the most vital matters. High pressure and extreme tension mark all its proceedings. Personal and factional feeling run high. Delegates are cajoled and badgered, and manufactured enthusiasm is ever ready at the most critical juncture to stampede the convention and win in a fury of excitement.

The storm center of contending prejudice and passion, a national convention, is the last place where rational human beings would be willing to try out and decide any important question affecting personal or property rights. With the very life of our free institutions at stake, it is the last place where great political parties should nominate their candidates for the high office of President of the United States.

Even if men chosen as delegates were never guilty of willful and corrupt betrayal of trust, if bargains and deals and bribery could be eliminated, nevertheless the presidential nominating convention should be abolished, because it removes the nomination too far from the voter, the trustee too far from him for whom he bears a trust, the agent too far from the principal.

If a public official, high or low, owes his nomination to a political machine or to corporate influence he is certain in some degree to yield to that influence and in like measure to ignore the great body of his party and the public. If he owes his nomination to the direct vote of the people he will do the people's service.

That a national convention should be held for the purpose of formally declaring the result of the direct primary and framing the platforms of the parties, there will be no contention. But the convention, charged

with the grave duty of formulating the pledges of the party, should be composed of a body of men accountable for their action directly to those whom they represent. The members of a delegate convention feel no definite, binding, personal responsibility except to a few conspicuous leaders. The action of the delegate is merged into the action of the mass. The service of the delegates terminates with the adjournment of the convention. There is no continuing of official obligation. Platforms framed by one set of men to be executed by another set of men open wide the door for honest differences of opinion as to the meaning of its terms and for the dishonest and shifty evasion of its pledges.

President Wilson is on strong and unassailable ground when he recommends that platforms be framed by those responsible to the people for carrying them into effect. As he suggests, those responsible to the public for the faithful execution of the platform promises of each party are the party nominees for Congress, the nominees for vacant seats in the Senate of the United States, the Senators whose terms have not yet closed, the national committees, and the candidates for the presidency themselves.

The participation of the national committee in formulating the platform is a matter of detail upon which there may be difference of opinion. But it is an elementary principle that the trustee should be a party to the contract which creates the trust. The officials or the candidates who, if elected, will be charged with the duty of redeeming the pledges of the platform, are logically the men who should make the party platform.

This declaration of principles, this promise to perform, this specific pledge to enact certain legislation is submitted to the voter and when accepted by him becomes a solumn and binding covenant between the officials who framed the platform and the voter who has staked his faith upon the integrity of its performance by the candidate for whom he casts his ballot.

President Wilson's recommendation will be enacted into law, if not by his own party, then by those who shall come after. It will make Presidents more responsive to the will of the people. It will make platform pledges sacred and binding.

ROBERT M. LA FOLLETTE.

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[From La Follette's, Jan. 21, 1911.]

KANSAS TO THE FRONT.

Gov. W. R. Stubbs, of Kansas, is a Progressive Republican executive of a progressive Republican State. His recent message to the legislature expresses plainly the will of the people. He recommends the enactment of laws providing for the initiative and referendum, the recall, workmen's compensation for industrial accidents, election of United States Senators by direct vote, Federal income tax, and judicial reform. He urges also that the people be given the opportunity to name their choice for President and Vice President. To quote:

"I recommend that you amend the primary-election law so that delegates to the national convention may be elected at the primary election, and that the names of the candidates for President and Vice President shall be placed on the ballot that the people of Kansas may instruct their delegates on nominations for President and Vice President."

Kansas is taking her place beside Wisconsin and Oregon. What State will be next in line? Let the people of Kansas stand solidly back of Stubbs and the legislature! And let the people of every other State get together and demand that their legislatures give them the means whereby they may break the hold of the system and name their own President! Now is the time to act.

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[From the Commoner, Dec. 15, 1911.]

THE PRESIDENTIAL PRIMARY

The simple meaning of this heavy phrase is that the presidential nominees next year shall be named by the people at the polls, not by bosses in back rooms. (Mark Sullivan, in Collier's Weekly.)

The presidential primary means just this: It gives you the right to go to the polls and say who the nominee of your party for President should be. It means that if you are a Republican you can go to the polls and say whether you want Taft, La Follette, Hughes, or someone else to be the Republican candidate for President; if you are a Democrat, you shall have the privilege of choosing among Harmon, Clark, Underwood, Wilson, Folk, or any other favorite you may have.

Any candidate will prejudice himself with a heavy handicap who delays too long in accepting the presidential primary, which is the same thing as saying that he does not want the nemination unless a majority of the voters want him to have it.

THE LA FOLLETTE POSITION.

From the resolutions adopted by the insurgent conference at Chicago, October 16:

"We favor the choice of Republican voters as to candidates for President by a direct primary vote, held in check, pursuant to the statute, and where no such statute exists we urge that the Republican State committee provide that the people be given the right to express their choice for President."

WILL SOME STANDPATTER ANSWER THIS?

If the voter is capable of choosing between Harmon and Taft (assuming them to be the two candidates), why is he not also capable of choosing between Harmon and Wilson? Between Taft and La Follette?

AN ENTERPRISING COUNTY CHAIRMAN.

The northwestern corner of the United States, with British Columbia on the north and Vancouver Island across the Gulf of Georgia to the west, is called Whatcom County. It has a Republican central committee, and its chairman is W. P. Brown. Mr. Brown's position is this: If the State of Washington gives him a presidential primary, well and good; if not, he is going to have one anyhow for his county. He and his committee have evolved a plan. He says it might not work in very large cities, but that it is perfectly practicable for Whatcom, with 17,000 voters. Doubtless Mr. Brown would be glad to explain his plan to any other country chairman who finds himself in the same position; that is to say, willing to hold the presidential primary, but handicapped by the lack of a State statute. Mr. Brown's address is Bellingham, Wash., and such inquiring persons as write him ought to inclose stamps.—Mark Sullivan in Collier's Weekly.

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PRESIDENTIAL PRIMARIES WILL GIVE PARTY PLATFORMS DIGNITY AND BUILDING FORCE.

[By Herbert Quick.]

President Wilson has demanded of Congress a presidential primary law. If we had had such a law last campaign, Wilson would have helped formulate his own platform.

To have platforms adopted by delegate conventions is to make them despicable and despised, as they have always been; to have them adopted by a convention of candidates after nomination is to give them dignity, solemnity, and building force.

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[From the Minneapolis Journal.]

THE PRINCIPLE IS RIGHT.

As chairman of the house elections committee last winter, Gunnar B. Bjornson helped to tinker the 1913 presidential preference primary law, and he refuses to admit that the law is entirely rotten. The kicks against it all come from the practical politicians, he says in a Minnesota Mascot editorial. In part, the editorial says:

"It is very probable that our presidential primary is not right. It is very probable that it needs some 'repairs.' But the principle of it is right. It is right to try to get at the will of the people. It is right to try to devise machinery that will register the people's choice in the matter of nominations as well as elections. Just now it is popular to 'jump onto' the presidential primary. At least the enemies of all primaries are trying to make it so. They are trying to tell the people that the presidential primary is a farce, that it can not be worked out, that it will serve no good purpose. But all this abuse does not do much good. The law is here. It is up to the voters of this State to make the most of it, to make it yield the best possible results. The people have it in their power to kill the presidential preferential if they want to. If they ignore it or display the lack of intelligence that is expected in the use of it, why, then, the enemies of it can more easily get it killed in the next legislature."

—

[From the Minneapolis Daily News, Mar. 9, 1916.]

DON'T BE STAMPEDED.

Criticism of the Minnesota presidential primary law has been persistent.

Also this criticism has been bitter in proportion as the mediums of expression have been friendly or subservient to the old reactionary, bossistic, bound-to-rule interests.

It was not to be expected that a perfect primary law could come rolling out of the box at the first shot. But one thing is to be hoped for from such a first attempt, and that is the establishing of the vital principles involved.

There are two principles involved in the Minnesota law as it stands: The election of national convention delegates by popular vote and the designation of the presidential candidate whom the State prefers.

Neither of these things is as foolish or as futile as the critics of the law have tried to make out. The voters of the State most assuredly have the right to say who they want to represent them and what they want them to do. Some indication of what the bosses would like to do is to be seen in the emphasis with which they denounce the law designed to prevent them from doing it. Of course the law is offensive to them.

So far as the principles involved in the law are concerned they are correct, but there may be some ground for criticism in the manner of their application. For example, Minnesota is asked to express a preference on presidential nominees long before the field of candidates has definitely developed. This is bound to endanger the ultimate satisfaction to be derived from an expression of preference at this time.

Another criticism might lie against present ambiguity regarding the obligation resting upon delegates to support the State's preference in the national convention. How many ballots are necessary to "faithfully carry out the wishes and preferences of the voters" as the law provides?

Neither one of these things vitally affects the real principles underlying the law; they are mere matters of detail. If Minnesota voters honestly desire to unseat bossism and run their own politics they will jealously guard the principles involved in this law and tackle the job of adjusting the details so that they may serve rather than hamper the operation of the plan. Even as the law stands to-day it is a serious question if it doesn't afford a cleaner, fairer, squarer means of selecting delegates than was possible under the old method of hand-picked, boss-managed, and boss-delivered delegations.

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[From the Minneapolis Daily News, Mar. 16, 1916.]

WHY CALL IT A FARCE?

There was never a political convention held in Minneapolis that was attended by upward of 3,000 delegates. In 1912 there were 1,078 voting delegates in the Republican national convention. There was no criticism that this number was not sufficiently large thoroughly to represent all the Republicans in the entire country.

On Tuesday Minnesota held its first presidential primary. There was apparently very little interest. The vote was extraordinarily light, so small in fact that the critics of the plan went about on Wednesday mentioning the fact as final proof of the shopworn charge that "the presidential primary is a farce."

The primary is a substitute for a party convention. In Minneapolis there were 3,169 votes cast on the Republican side alone.

If 1,078 delegates are enough to represent all the Republicans in the United States, it certainly would seem safe to assume that 3,169 could fairly represent all the Republicans in Minneapolis. Representativeness is the big thing to be desired in any nominating body. Small as the Tuesday vote was, it was infinitely more representative than any convention vote could have been, and the beauty of it lays in the fact that it was untrammeled.

Next time anybody tries to tell you that Minnesota's presidential primary law is a "failure and a farce," call for specifications and see if they weigh much as against the above setting out of facts.

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[From the Chicago American, Feb. 25, 1916.]

A CONCERTED ATTACK ON THE DIRECT PRIMARY LAW—BOSSES SEEM SINCERE IN SCHEME TO OVERTHROW PEOPLE—TIME FOR DEFENSE NOW.

To those who closely read the record of daily events and who by putting this and that together manage to get a glimpse of large political patterns, it is quite apparent that there is now afoot a concerted movement to bring about a repeal of the Illinois direct primary law.

Will it succeed?

One of the good effects of the present law is that it has helped to so differentiate the political influence of the party machines that those who wish to carry out any reactionary scheme in government must go into print or mount the platform and try to convince the public.

This is a much harder and slower job than the old way. Formerly all that was necessary to be done in order to control nominations and

later control elections and legislation was to get some sort of agreement between a few superbosses and have them send the necessary decree down the line!

To-day candidates and public officials, with a lively appreciation of the direct primary campaign and the inevitable sifting of candidates' records that goes with it, are not nearly so manageable as they used to be. They are aware of the people!

For this reason the enemies of the direct primary must now send out their paid penmen and spellbinders and try to convert the voters of Illinois to the notion that it would be a good thing for them if they will consent to abandon this important part of their political privileges.

The arguments of the penmen and spellbinders will hardly be convincing.

They claim that the direct primary is costly.

This is true—but so is every other institution of popular government; and, after all, the cost of primary elections is not nearly so great as the old spoils system, which was incubated and nourished to an evil maturity under the régime of the bosses and their hand-picked conventions. There is no way of computing the enormous loot wrested from the people of Illinois through the old boss system.

They will argue that the majority of voters don't care for the primary elections and won't attend them.

In answer to this we may cite the enormous primary vote cast at the mayoralty primary in Chicago a year ago and call attention to the increasing interest in primary elections wherever the law exists. And it may be added, however small a primary vote may be, there are always enough electors at the polls to make the boss's job sweaty and doubtful—hence their anxiety to get the law out of the way.

They say, too, that the people don't make good nominations; are not capable of choosing the best candidates, as conventions would.

No specifications are given, and the assertion must go for what it is worth, which is but little. The charge belongs in the same class with those which were made by the reactionaries when our Federal Constitution was being formed. The Philistines then claimed that the people were not fit to vote at elections. Now they say the people are not capable of making nominations.

No doubt there are several particulars in which the primary law should be amended, not decapitated.

The order of filing petitions to place the names of candidates on the primary ballot should be so changed that there will be no invitation to fraud and disgraceful scrambling.

The percentage of voters' names on petitions should be considerably increased in many cases so that it will not be so easy for irresponsible people to get on the primary ballot for the purpose of getting off again—for a consideration.

The two-year limitation in changing party affiliations might very reasonably be reduced to one year or to the last preceding election. This would encourage political independence, which is the rational thing.

So amended the law is, and increasingly will be, an instrument of political purification and civic progress and will exactly fit in with other electoral reforms now being produced all over the country, a movement to restore to the people every essential function of their government.

But the people of Illinois must be alive to the direct primary issue. They must not indulge in passivity until it is too late.

The bosses are evidently serious in their schemes to overthrow the people's primaries. Let the people be equally serious in defending.

—

[From the Nonpartisan Leader, Mar. 3, 1919.]

MINNESOTA TO REPEAL PRIMARY—FEAR PEOPLE MAY TAKE OLD PARTIES AWAY FROM GANG IN 1920.

The Minnesota Legislature, controlled by the Burnquist State administration and composed of a majority in both houses hostile to the Nonpartisan League and organized labor, is preparing to destroy the democratic election procedure of the State in an attempt to head off the expected victory of the farmer-labor forces in 1920. The Republican politicians had a narrow escape in the recent Minnesota primaries, when the Republican candidate for governor, indorsed by the farmer-labor forces, nearly defeated Gov. Burnquist. It has, therefore, been determined to change the primary law before the next election in order to prevent a farmer-labor indorsed Republican from getting the nomination in 1920.

A bill has already passed the house by a vote of 78 to 51 which abolishes the direct primary law of the State, so far as party nominations for governor and State officers are concerned. The bill is scheduled to pass the senate.

For many years Minnesota has had direct primaries. The rank and file of party memberships in the State have chosen the party candidates by direct vote. This procedure is swept away by the proposed new law, which provides for a return to the old party convention system, the scandal of American politics for several decades.

This move, it is hoped, will enable party bosses to control the nominations for State offices, thus preventing the rank and file of party organizations from nominating men indorsed by the farmer-labor or other progressive combines. It is expected by the legislative bosses that this will force the farmer-labor forces to come out as a third party, thus preventing them from using their strength as a balance of power in the old parties.

OBJECT LESSON TO PEOPLE.

This attack on the direct primary for the purpose of intrenching gang rule in Minnesota will on the whole have a good effect. It has fully demonstrated the rule-or-ruin tactics of the present State gang. Very naturally, after many years fighting to obtain direct primaries, the people of Minnesota do not relish having this democratic election system taken away from them simply to give the reigning politicians a supposed advantage over the progressive forces of the State.

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UNITED STATES SENATE,
March 28, 1916.

Hon. ERNEST LUNDEEN,
Minneapolis, Minn.

MY DEAR MR. LUNDEEN: I have yours of the 17th instant and appreciate it very much. All the slurs and attacks that are now going the rounds of the press respecting the principle of the primary as opposed to the caucus and convention will have no effect. The primary is here to stay, and although it has its weakness it is so much better than the caucus and convention that intelligent people will never return to the old plan.

I know what sort of fight you had in Minnesota, and I shall never cease to be grateful to you and those like you who stood by me.

Yours, cordially,

ALBERT B. CUMMINS.

EXTENSION OF REMARKS
OF
HON. JEROME F. DONOVAN,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. DONOVAN. Mr. Speaker, under permission granted me to extend my remarks in the RECORD I wish to present for your consideration a bill (H. R. 16190) to punish the use of mails to promote fraudulent enterprises in the guise of war charities or patriotic organizations.

This bill is a bill that is being projected and hoped of passage owing to the conditions which prevailed by reason of the experience that the district attorney's office, under District Attorney Swann, of New York County, has had relative to war charities.

A great many of the welfare people of that city, as through the country, gave their services and means toward charitable objects for the benefit of the American forces here and overseas, and vast sums of money were collected for that purpose. There were many organizations incorporated; drives were made for the collection of funds; and the success of the drives was marvelous, the collections amounting to millions of dollars.

It soon developed that many people were engaged in this enterprise for personal gain and profit through misrepresentation and fraud. District Attorney Swann was the recipient of many complaints from donors that in their opinion funds were being collected through fraud and were not being appropriated for the purposes represented. This occasioned him to make an investigation, and he assigned Assistant District Attorney Edwin P. Kilroe to take charge of the matter. For a year Mr. Kilroe devoted his entire time to the matter, with the result that 26 indictments were had and 6 or 8 of these people are now serving time in the State prison and the balance indicted are awaiting trial.

Mr. Kilroe has compiled an extensive report covering the entire subject which explains in detail how lucrative this graft has been and to what extent the charity and generosity of the people has been preyed upon. For your further consideration I will now present part of the report referred to:

REPORT ON THE INVESTIGATION OF WAR CHARITIES.

[By Edwin P. Kilroe, assistant district attorney, New York, N. Y., Jan. 1, 1919.]

NEW YORK, N. Y., *January 1, 1919.*

Hon. EDWARD SWANN,
District Attorney, New York County, New York, N. Y.

DEAR SIR: On November 16, 1917, you directed me to make a comprehensive investigation of the methods and measures employed in raising and disbursing funds for war charities or war-relief work in New York City. The investigation, which has continued for a period of approximately 14 months, is completed, and I desire to submit to you the following brief exposition of the salient features revealed:

Five hundred and thirty-four committees, societies, organizations, "funds," or "charities" were investigated and their accounts, vouchers, and books carefully audited and inspected; 1,583 witnesses were examined and 947 statements were taken, covering 3,454 typewritten pages, legal cap size; 2,472 letters were received and answered; 4,463 queries were received by telephone, by correspondence, or in person, and replies given thereto. A comparative study of the financial methods employed in war-relief work in other cities and States was also made, and, in order that the scope of the investigation might be as broad as possible, attention was given to the methods in vogue in foreign countries.

Since the outbreak of the world war, in the midsummer of 1914, it has been estimated that no less than 20,000 agencies, of one class or another, have been engaged in war-relief work in the United States, and that of this number at least 7,500 operated during some period of their activity in the city of New York. It is said that there are now at work in this city over 1,500 different war charities. The amount raised in the United States by these charities, either in money or in goods, has been conservatively estimated at from $3,000,000,000 to $4,000,000,000, and it may be said with confidence that upward of three-fifths, or 60 per cent, of this amount was raised in New York City.

At the very inception of the investigation it was revealed that no degree of uniformity in purpose, conception, or execution was to be found, and that the field of war-relief work in the United States presented a vast jungle of forms and fancies as various as the human imagination might suggest. As the investigation progressed certain stratifications of motive, method, and execution began to be outlined. The immense returns obtained through these ill organized and wholly unofficial channels suggested at once the opportunity for fraud, profiteering, mismanagement, and inefficiency; and, at the same time, brought to light the tremendous generosity with which the public at large had given and were blindly giving to the worthy causes promoted at once by the sincere worker and the deliberate fraud. Of especial interest was the revelation of the character and prominence of the patrons of the various individual activities, and the gullible or careless ease with which persons of prominence lent their names, in many instances without either judgment or investigation, to activities conceived and promoted often by ex-convicts, confidence men, adventurers, and social parasites.

This form of activity was hit upon at once by "climbers," who saw an opportunity for social recognition and preferment in the advertisement and popular approval that would follow from their ostentatious

philanthropy and patriotism. Many people of this type, possessed of considerable fortunes, and therefore without venal motive, but wholly devoid of experience or adaptability for the form of work undertaken, saw in the field a prospect of governmental recognition, commendation, or even official honor or decoration. To these various types of apparent respectability the legal and social outcast attached himself, and thus fortified preyed upon the prestige and public influence so obtained to mulct the patriotic and the generous and waste and dissipate the national benevolence. In many instances it was discovered that the names of persons of unimpeachable character and integrity were exploited for selfish purposes, wholly without their consent or even knowledge; but by far the greater vice lay in the use of the names of prominent and worthy persons as directors, committee members, and patrons, whose approval and consent were actually given without sufficient and in many cases with no investigation as to the character of those who managed the activity and handled and disbursed the funds. It was found that well-intending men and women of prominence, of unquestioned sincerity, and philanthropic character, while lending the venal imposter their cloak of respectability, wholly neglected their duties of public stewardship and failed utterly to give the proper and in many cases no measure of supervision to the methods, either of collection or disbursement, employed by the self-appointed agent. Thus recommended to the public confidence, and unrestrained either by check or conscience, the swindler and the profiteer proceeded to gorge themselves from the outpourings of the generous public purse.

Worthy committees, under the plea of necessity and in their eagerness to obtain returns for laudable objects, were induced to enter into unconscionable contracts with solicitors, whose percentages ranged from 40 per cent to 85 per cent, and to undertake, without judgment or foresight, the expenditure of vast sums of money for overhead expenses, advertising, and other forms of exploitation, without a view either to the amount of expense incurred or the proportion that it might bear to the eventual return. It followed necessarily that out of the three or four billion dollars raised for war relief in the United States since the outbreak of the war a large percentage found its way into the pockets of the professional soclitors, who worked solely on a percentage basis, and through the medium of whose efforts funds were largely solicited and received. In their eagerness to secure some return for the activity undertaken, committees and organizers winked at this method, and the contributing public was gulled into supposing that its gifts were finding their way directly into the hands of the suffering and needy; and the promoters and solicitors were little concerned in the motives or expectations of the donors or with the call of the worthy and needy sufferers in whose cause they ostensibly labored. Ambitious public functions, with the glamour of social, patriotic, and philanthropic dedication, were organized and undertaken by the well-meaning dilletanti. Large attendances were secured and considerable sums devoted in support by the unwary; and after the tinsel and the glamour were brushed aside, an accounting had, and obligations paid, a mere pittance remained for the benefit of the war sufferer.

Deliberate theft played its part in rifling the war-relief chest, but because of the impossibility of checking up either the amounts contributed or the disbursements made, the exact amount of the moneys stolen can never be definitely ascertained. From the facts revealed, however, it may be fairly estimated that the amounts stolen in the city of New York for a period of 12 months prior to the starting of the investigation exceeds $3,000,000. The wastage due to inefficiency, mismanagement, and duplication of effort is likewise impossible of accurate ascertainment, but from the enormous discrepancy between the amounts collected and the amounts apparently dedicated to the announced object of charities, where figures were obtainable, it is not unfair to say that the wastage amounted to as much as 65 per cent of the moneys collected.

The principal vices revealed in the course of the investigation are, briefly, as follows:

(1) The payment of commissions to solicitors and collectors.

(2) Soliciting funds, selling buttons, tags, and merchandise on the streets and in public places, conveyances, and places of amusement.

(3) The remit or return method of raising money; that is, the form of solicitation for funds, where trinkets, souvenirs, or other forms of merchandise are forwarded to charitably inclined persons with the request that either a donation be remitted or that the article be returned—a form of exploitation inuring to the benefit of profiteering manufacturers.

(4) The payment of large, often exorbitant, salaries to executives and promoters.

(5) The conduct of public entertainments and bazars at enormous outlay and small return.

(6) The failure to keep adequate accounts and to provide audit and supervision.

(7) The failure to prepare budgets and to fix plan and scope.

(8) The failure to provide an active board of directors to supervise and direct the activities of the society or charity.

(9) The organization and maintenance of societies or charities without a definite purpose or object.

(10) Unnecessary and wasteful duplication of activities by societies competing for funds for the same or similar ends.

(11) Lack of business methods and efficiency in conduct and management.

(12) Inadequate equipment both in facilities and personnel for the work undertaken.

Upon a survey of the vast amount of data collected and from the statements of the numerous witnesses examined, the various forms of activities devoted to war relief work may be classified, with a view to their character and usefulness, under the following heads:

(1) Worthy war-relief work, honestly and efficiently conducted, where a respectable percentage of the funds secured are appropriated to the avowed objects.

(2) Wasteful activities pursued for a worthy object by people of integrity in which, through lack of business method, ability, or experience, insufficient or grossly inadequate returns were made to the object avowed.

(3) Ill-conceived or absurd activities, ofttimes well intended, from which no benefits accrued to a worthy end.

(4) Profiteering enterprises of ostensibly philanthropic purposes but frequently conducted for the personal profit or preferment of the promoters and managers.

(5) "The One Hundred Per Cent Boys," an out-and-out thievery, where every cent collected was misappropriated and stolen.

Since the investigation was concerned chiefly with frauds and abuses, activities classified under the first of the foregoing headings have no appropriate place in this report. The remaining four classifications, however, are worthy of a brief word of comment, with a descriptive sketch of a typical example in each class.

I. The "One Hundred Per Cent Boys."

The One Hundred Per Cent Boys were a coterie of charity workers who collected in the name of a charitable enterprise and appropriated to their own use the entire proceeds. The leader of this clique was Michael J. Delehunty, and with him were associated William J. F. O'Neill, Alfred Gardner, James Mendels, and John Davis. They began their activities in the charity fields as solicitors for advertising concerns who had taken contracts on a commission basis to furnish advertising for souvenir programs at benefits for the relief of the families and dependents of various regiments, chief among which were the Twelfth, Fourteenth, Seventy-first, Sixty-ninth, and the Ninth Coast Defense. The men had arrangements with advertising contractors on a basis of 25 per cent to 40 per cent of the advertisements and contributions solicited. They soon, however, developed into the 100 per cent class.

They had desk room in an office at 500 Fifth Avenue, where most of the solicitations were made by telephone. Their scheme of operation is best illustrated in the cases of Delehunty, Winkelman, and O'Neill, which typify their general method of operation. In the Delehunty case, Walter J. M. Donovan, a real estate broker, residing at 276 Riverside Drive, New York City, with an office at 80 Broadway, was called up on the telephone on October 1, 1917, by Delehunty.

Delehunty's testimony at Winkelman's trial is:

"I called on the telephone. I told him it was Col. Conley; that we were getting up a benefit for the Fighting Sixty-ninth. I asked Mr. Donovan if he would subscribe, and Mr. Donovan said: 'Yes'; he would be very glad to. He said: 'It's rather psychological at this time that just at this time I am writing to the Sixty-ninth.' And he said to me: 'Before I subscribe I would like to have you do me a favor. I would like to have you furnish me with the names of three dependent families of this regiment.' I answered, 'Yes'; and he said he would subscribe $1,000; and I said, 'I will send for it'; so that was the end of the conversation."

At 1 o'clock on October 2, 1917, Delehunty called at the office and received a check for $1,000. The check was then taken by Delehunty to Schermerhorn's or Proctor's café at No. 5 Beaver street, where James Mendels, Delehunty's partner, indorsed the name of Col. Louis D. Conley, in the presence of Lester L. Winkelman. They then went to Jack's restaurant on Forty-second Street and Sixth Avenue, where they met Maurice Manheimer, a bookmaker, to have the check cashed. Manheimer gave the check to another bookmaker named William J. Byrne, who in turn gave the check to a third bookmaker named David R. Goldie, who deposited the check on the 4th day of October, 1917, in the Commercial Trust Co. of New York.

After waiting a week or 10 days for the check to clear through the bank, Goldie passed the money for the check to Byrne, who in turn gave it to Manheimer; Manheimer in turn gave it to Winkelman, and Winkelman gave $850 to Delehunty, deducting 15 per cent for cashing the check. Delehunty thereupon split the proceeds, or $850, with his partner, Mendels, each taking $425.

In the O'Neill case the money was solicited in the name of the Ninth Coast Defense Command of the New York Coast Artillery of the National Guard of the State of New York. On October 8, 1917, John H. Steele, a lawyer, who lives at 410 Park Avenue, and has an office at 120 Broadway, was called at his office on the telephone by O'Neill, who stated to Steele that he was Sergt. Harris, of the Ninth Coast Defense, and that they were getting up a fund for the dependents of the men of their regiment, asking if he could send one of their young men down to see him about it. Mr. Steele made an appointment with the man speaking over the telephone, and shortly after the conversation O'Neill called and presented a letter, purporting to have been signed by W. W. Marks, captain, and told Mr. Steele that he had come in pursuance of the conversation had with Sergt. Harry Harris over the telephone. The letter presented read as follows:

"October 8, 1917.

"Mr. J. H. Steele,
"120 Broadway, New York City.

"My Dear Mr. Steele: This will serve to introduce the bearer, W. F. F. O'Neill, who is helping our campaign committee to raise sufficient funds to take care of the boys who are away. Any courtesy or assistance rendered will be kindly appreciated.

"Yours, very truly,

"W. W. Marks.

"Please make your check payable to Sergt. Harry Harris; the same will be acknowledged from headquarters."

Upon the receipt of the letter Mr. Steele drew a check for $50 payable to the order of Sergt. Harry Harris, and gave it to O'Neill. The check was subsequently cashed in the café of George J. Kuck, at 193 Seventh Avenue, by Davis, who was one of "the boys." It subsequently developed that the letter signed "Marks" was a forgery, and the indorsement of the name of Sergt. Harry Harris on the back of the check was also a forgery, and the proceeds were never received by the Ninth Coast Defense.

It also developed that on the 4th of October, 1917, four days prior to the obtaining of the check for the Ninth Coast Defense, Mr. Steele was called on the telephone by a person who stated that he was Col. Howlet, of the Fourteenth Regiment, and was soliciting for funds on behalf of the dependents of that regiment. Within an hour after he received this message O'Neill called on Mr. Steele and stated that he had called in pursuance to the conversation Col. Howlet had with him over the telephone, and that Col. Howlet had sent him there to get donations, either for the dependents of the soldiers or to furnish the soldiers with underclothing, socks, and shoes. O'Neill presented a letter purporting to have been signed by Col. Howlet asking that a contribution be made to the Fourteenth Regiment, and that checks be made payable to the order of Mrs. J. R. Howlet, the wife of Col. Howlet. Mr. Steele drew a check to the order of Mrs. J. R. Howlet and gave it to O'Neill, who thanked him for it, and said that "the regiment or the colonel would be much obliged." The signature of Col. Howlet on the letter, as well as the indorsement of Mrs. J. R. Howlet on the back of the check, was forged, and the check was cashed at Kuck's café by Davis, and not a single cent of the proceeds went to the Fourteenth Regiment.

The "boys" met daily in front of the Belmont Hotel, and frequently used the grill room of that establishment as a headquarters, and at times used the slot telephones of the New York Telephone Co., which adjoined the Belmont, as a basis of operation.

When they retired from the solicitor's vocation and "decided" to go into business for themselves they had solicitors' blanks printed on the stationery of the Seventy-first, Seventh, and Twelfth Regiments, respectively, for their own use. Upon these blanks were forged the orders or requests for money. The name of Col. Reginald R. Foster, of the Twelfth Regiment, was repeatedly forged on checks and on requests for funds.

"The boys," from February 1, 1917, when their activities began in New York City, until the middle of December, 1917, when they were detected, had taken from the public approximately the sum of $500,000 for war relief work, not one penny of which went toward the object for which it was contributed. Forgeries without number were committed, and the checks cashed at Jack's restaurant, in cigar stores, and in well-known cafés.

Manheimer, the bookmaker, testified that he had cashed, or caused to be cashed, over 50 checks, in amounts varying from $15 to $1,000. James McCallion, alias James Sanders, a bookmaker and betting commissioner, stated that he had cashed for "the boys" over 100 checks, ranging in value from $25 to $750; and Lester Winkelman admitted, when he took the stand on his own behalf, that he had cashed for Delehunty and his associates upward of 25 checks, in amounts varying from $25 to $750. Delehunty stated that the greater part of this money was lost on races, and that "the boys" usually played the "long shots" and lost; and what was not spent on the races was spent in expensive cafés along the "Great White Way" on ladies, wine, and entertainment.

"The boys" had marshaled their methods in a remarkable way. They had a card index, known as a "suckers' list," of well-known residents of New York City who were known to be liberal to charity, and on each card was an annotation of a peculiar characteristic or weakness of the person mentioned on the card. For example, a well-known financier, who was classified by "the boys" as "a hard-boiled egg" before the war, changed entirely in his philanthropic habits after members of his immediate family had joined the colors; and it became no effort for "One Hundred Per Cent Boys" to get a contribution from him; in fact, Mr. Delehunty, while in the Tombs awaiting sentence, after entering a plea of guilty, offered to wager that if he were permitted to go to the office of the financier mentioned, acompanied by a plain-clothes man, he could get a check for $2,500 without difficulty.

Delehunty is a man of more than ordinary intelligence, possessed of considerable shrewdness, craft, business tact, and diplomacy; he was the leader of the coterie. In a statement issued by him to the press after he had pleaded guilty, he said that New York City was the mecca for graft. His interesting statement reads as follows:

"Every road led to Easy Street. It was the easiest graft I ever engaged in. Every person you met fell and fell hard. It was easier than picking up rocks along the Palisades. I don't know exactly how much I collected, but I got a whole lot, something in the neighborhood of $150,000, should say, and every bit of it went fast. It was a case of 'easy come, easy go.' I wasn't the only one doing it. The dead-sure men came on from all over the country to New York. It had gone forth that the graft was easy, and the town was soon filled with 'con' men. That's what spoiled the game. Some of the 'low brows,' who had been satisfied with $25 a day, found that they could make $1,000 safely but still wanted more. They didn't appear to be satisfied, and started in to use sledge-hammer methods. They blackjacked right and left, with the result that the graft was soon put on the bum. The people soon began to 'sit up and take notice.' New York is full of business men that make money too fast. They know all the angles of their own game and business. You could not take money away from them with a gatling gun in their own game, and yet they are the biggest suckers alive. They're so soft that I just couldn't resist the temptation to play upon their patriotism. When I was soliciting funds for one of the legitimate charities I saw in a minute how easy and careless these rich men were."

"Doc." Waterbury, alias Julius L. Ford, was a charity worker of the type of "the One Hundred Per Cent Boys," although he was not closely associated with the coterie known by that name.

Waterbury was born on a little farm near Ithaca, N. Y., and was educated at Cornell. He spent a term in State prison for larceny and then took up charity work. He specialized in solicitations for war books, records of soldiers' experiences, photographs, and general press work, and as a side line was always ready to take up anything in which he could garner a dollar.

At the Leonard-Britton prize fight, which was held in New York City on October 22, an appeal was made from the ring for funds for the war relief, known as the "Le Bien etre du Blesse," for the benefit of the French wounded. An announcement was made and contributions were asked for. Large sums were volunteered. Among others, a motion-picture promoter donated $500, and a man, who was afterwards identified as "Doc." Waterbury, said, "I will give $250," whereupon he and several others passed among the audience collecting money in a hat. Waterbury collected a sum estimated at $700 or $800 and failed to stop at the box office with it.

He is now under indictment on the charge of obtaining $1,000 from a wealthy Philadelphian for war relief work which he appropriated to his own use. There are other charges also pending against him.

Eugene Jess, of 638 St. Ann's Avenue, Bronx, whose real name is Jesselman, worked independently from the other members of the One Hundred Per Cent Boys, but his system was the same. He solicited contributions in the name of the Red Cross and requested the donors to draw their checks to order of Mrs. Maude Shanley, "a well-known society woman." Mrs. Shanley, who was used as a dummy by Jess in his transactions, was said to be the wife of a saloonkeeper in Harlem. She indorsed the checks and turned them over to Jess, who cashed them and put the money in his pocket. Jess was indicted, convicted, and sentenced to State prison. Mrs. Shanley is now under indictment as an accomplice of Jess.

Frederick J. Remsen, an ex-convict, is another charity worker who used the One Hundred Per Cent Boys' methods. On October 3, 1917, he solicited $500 from the United States Industrial Alcohol Co., of which Mr. H. L. Rubens is president, for the Army and Navy bazaar. The check was made payable to the order of Edward S. Moore, secretary and treasurer of the Army and Navy bazaar; his indorsement was forged and the check was cashed in a café in the financial district. Within two weeks after Remsen had received this check from Mr. Rubens, he solicited and received another check for $500 from Mr. Rubens's company for an advertisement in the Tammany Times. The proceeds of both checks were appropriated by Remsen, who is now under indictment and awaiting trial on both charges.

The One Hundred Per Cent Boys have been completely suppressed. The members have been either sent to prison or are fugitives from justice. Winkelman is serving a sentence in Sing Sing Prison of not less than three years nor more than six years. O'Neill is serving a sentence of not less than two and a half nor more than four years and six months; Michael J. Delehunty was sentenced to not less than three nor more than six years, but because of his valuable services to the people in securing the indictment and conviction of his associates and in giving information which led to the suppression of the One Hundred Per Cent Boys he was subsequently released on parole; Jess has served his sentence.

II. THE WASTER TYPE OF CHARITY.

THE ARMY AND NAVY BAZAAR.

The Army and Navy Bazaar was the first war relief activity to attract by its irregularities the attention of the public press and to come under the investigation of the district attorney. From the accounts published in the daily papers in November, 1917, it was apparent that the Army and Navy Bazaar, which was held at the Grand Central Palace from October 27 to November 3, 1917, was a palpable fraud upon the public.

The bazaar was held to raise money for the Army and Navy field comfort committee; the object of the committee was to provide the soldiers and sailors with comfort kits, which would cost approximately $1 apiece. Out of $72,000, which was taken from the public by the bazaar, only $645 was actually available for the purchase of comfort kits. Among the items of deduction from the fund we might mention the following enormous overhead or operating expenses:

Commissions on advertising and printing of the souvenir program	$24,060.30
Rent of the Grand Central Palace, two floors	18,000.00
Press agents	6,393.68
Decorations	3,908.85
Policing the show	1,218.15
Stationery	1,201.00

The Army and Navy Bazaar was under the immediate direction of Waldemar H. F. N. De Billie, who describes himself as an "expert in exploitation and publicity." Before coming to New York, De Billie, who was the son of a doctor and was born at New Orleans, had an interesting career across the continent, where he tried his hand at staging various entertainments, shows, and bazaars, most of which resulted in failures and losses to everyone except De Billie.

De Billie undertook the management of the Army and Navy Bazaar on a 50–50 per cent basis; that is to say, he was to receive 50 per cent of the net proceeds, but by a subsequent contract the amount he might obtain was limited to $7,500.

The souvenir journal or program was farmed out to an advertising solicitor named George F. Sweeney on a 50–50 per cent basis. The advertisers paid a handsome price for space in the program, and in a great many instances where merchants were asked to advertise they gave donations instead. These donations were classed by Sweeney as advertisements and 50 per cent of the amounts so donated was taken by him. Occasionally the advertiser would be represented in the journal by a mere line, such as "Compliments of a friend." The moneys received in this way from 16 persons alone amounted to $6,000. Among those who contributed in this manner was Christopher Hannevig (Inc.), of 139 Broadway, who paid $1,000. In return for the money thus paid he was given the last page on the program, with the simple insertion, "Compliments of C. H.," and $500 of this money went to Sweeney.

In soliciting donations and advertisements the public were led to believe that the money was going entirely for war relief work. In soliciting a donation from the Aero Club of America, De Billie wrote, "Of course, you doubtless understand all of the money taken in is for charity. There are no splits or commissions of any sort."

The Army and Navy field comfort committee, under whose auspices the bazaar was held, had headquarters in the Hotel McAlpin. Including the $645 which was turned over to the committee by the bazaar management, the Army and Navy field comfort committee since its organization in July, 1917, took in approximately $14,000. Ten thousand dollars of this sum went for expenses and only 300 comfort kits had been bought, although a total of nearly $85,000 had been solicited from the public for comfort kits by this committee through its bazaar and in other ways. Upon the district attorney's request the committee wound up its affairs and turned over the money on hand to the American Red Cross.

Sweeney, the advertising solicitor, who collected in advertising and donations $45,000, received as his share approximately $22,500. He was indicted for forgery and larceny.

Christian Donald Fox, whose right name was Charles David Fox, and who signed himself as C. Donald Fox, was the secretary of the Army and Navy comfort committee; he was also interested in other charity activities, having been associated with the Louise Glaum War Luxury Fund. He was indicted for forgery and larceny in connection with collections made on behalf of the Army and Navy comfort committee. He pleaded guilty and was sentenced to the penitentiary for three years; he is still in prison.

THE AMERICAN AMBULANCE IN RUSSIA.

The American Ambulance in Russia is a notable instance of the misappropriation of funds, lack of ordinary business system, and inadequate supervision in war-relief activities.

This charity was organized early in 1916 by Hamilton Fish, jr., who acted as its chairman until October, 1917, when he was called to the colors; the society had an office at 527 Fifth Avenue. The records kept were meager and incomplete. Mail was opened by clerks, and there was no system of checking the moneys received and expended. An attempt was made to raise money on behalf of the ambulance fund in the State of Illinois, but under a statute of that State it was necessary to file an audited statement with the council of defense, and, accordingly, on the 31st of August, 1917, an audit was prepared. An accountant or bookkeeper was engaged, who gathered together such data as he could from slips of paper, letterheads, correspondence, backs of envelopes, and deposit books. The firm of Marwick, Mitchell, Peat & Co., chartered accountants, prepared the audited account from the meager data thus furnished by the bookkeeper.

We find in the audited account issued by that firm the following remarkable statement: "The records available were insufficient to ascertain therefrom the total contributions received. * * * We were unable to trace the source of those contributions. * * * *" The statement then proceeded to unfold the facts that the contributions were traced from letters of organizations holding benefits, bazaars, etc., from contributors' letters and cards, and from the bank's deposit books, and from miscellaneous office memoranda. In the audited statement we find the following entries: "Source not traceable, $16,368.35"; "Contribution account reflects a transcript from bank statement of deposits. This was because only a rough set of books was installed and the books were insufficient to furnish the necessary detail."

The audited statement, therefore, in reality only shows the amount of money deposited and does not indicate the actual amount of money received from February 19, 1916, when the charity was instituted, to August 31, 1917, the last date of the report. Under the caption entitled "Disbursements" the statement shows the following remarkable entry under the heading of miscellaneous items: "For autos and medical supplies, $10,780.94, for which no invoice could be located." The audit ends with the statement that the accounting for contribu-

tions and disbursements was sadly neglected and with the suggestion that people of authority should supervise the receiving and disbursing of funds.

The society had a contract with Morton L. Palmer, an advertising man who resides at Stamford, Conn., and with a place of business at 432 Fourth Avenue. Under the terms of this contract Palmer was to receive 50 per cent of the moneys he solicited. This money, however, he did not keep entirely for himself; for some unexplained reason 10 per cent of the moneys he received was paid to one William Stoermer, who signed himself as "Managing director of field service." While Palmer has disclaimed any responsibility in the management of the affairs of the American Ambulance, he nevertheless was listed in the New York telephone directory under the following heading: "American Ambulance Field Service in France," with an office at 432 Fourth Avenue, which is Palmer's private office.

Palmer's scheme was to give a moving-picture show and at the show to make an appeal for funds. The show consisted of moving pictures depicting alleged scenes in Russia, with a scene in Petrograd during the first revolution. A lecture would first be given, followed by a recitation by a prominent actress. The local expense of the shows was borne by the patrons and patronesses, who furnished the hall in which the entertainment took place and who also supplied the ushers, who were usually Boy Scouts and young society girls, dressed as nurses. How much money was raised in this way it is impossible to state, but Palmer, in a statement made in the district attorney's office on December 12, 1917, states that on the Connecticut tour alone, which only lasted a few weeks, he raised $17,169.78, 10 per cent of which went to Mr. Stoermer and 40 per cent went to Palmer.

The shows were given under the name of the American Allied Ambulances, and the money was presumed to have been divided equally between the American Ambulance in Russia and the American Ambulance in Italy. A Mrs. Thomas Shields Clark, of Lenox, Mass., gave a check for $1,600 to buy an ambulance for use in Italy. This check, however, was turned over to the American Ambulance in Russia, and when this fact came to her attention she immediately demanded that the money be returned to her, which was done after considerable publicity.

Another method of collecting funds was by the use of an ambulance and a stretcher. An ambulance would be stationed at Forty-second Street and Fifth Avenue, or on some other congested corner; a young lady dressed in a Russian uniform would be in charge, and a stretcher would be laid on the sidewalk, into which money was thrown by people passing by. The men in charge of the stretchers, C. Welsey Shedd and Garrett Demarest, became known in the public press as "The Ten Per Cent Boys."

Shedd was a free lance who deserted his wife and child in Boston, and Demarest was a young attorney at Hackensack, N. J.; they met accidentally in New York, and both drifted into charity work on a 10 per cent basis. They stated that their collections ran from $60 to $2,200 daily, and their share of the proceeds was 10 per cent each of the amounts collected. Their commissions in a month ran as high as $1,000 each. They reported that they turned the money into headquarters "to anyone who happened to be in the place." The money would be taken there in a grip or satchel and would be dumped out on a desk and turned over to a bookkeeper or the keeper of the office or whoever happened to be present. The money was often dumped into a drawer at night and left there until the next morning, when it is presumed it was counted and deposited in the bank.

So far as the district attorney's office has been able to ascertain, no entry was made on the books of the organization showing the amounts collected daily and the amounts paid to Shedd and Demarest in commissions. The information stated in this report concerning the amounts collected is based upon the notations and memoranda made by Shedd and Demarest on backs of envelopes and other disconnected notes. "The Ten Per Cent Boys" received their commissions each day at the close of business.

These collectors informed the district attorney that 30 per cent of the money so collected went to Stoermer, 10 per cent each to Shedd and Demarest, and the other 50 per cent went to the American Ambulance in Russia. It is said that Stoermer in turn divided the 30 per cent with Miss Edith K. Oswald, and there was a separate fund in the organization known as the "E. K. O. Film Fund." In justice to Miss Oswald, however, it may be said that she never received a cent from either Stoermer or the American Ambulance in Russia. This fact is admitted by both Stoermer and the officials of the Ambulance; the "E. K. O. Film Fund," as near as can be ascertained, was intended to be a charge upon the funds of the Ambulance for the use of film which were devised by Miss Edith K. Oswald, a young lady from California, who had made the arrangements with Stoermer and who was in the moving-picture business. One of the films was entitled, "The Invisible Enemy," a tuberculosis film, exhibited for the benefit of the American Ambulance in Russia. In order to exploit this film Mr. Stoermer had himself designated as "field committee director." The scheme was to travel through the country with an ambulance, exhibit the film, and make an appeal for funds. The American Ambulance in Russia was to pay all expenses, and 10 per cent of the gross income was to go to Stoermer, 20 per cent to Miss Edith K. Oswald (the owner of the film), and 10 per cent each to Shedd and Demarest. How much money was collected in this way and paid out to Shedd and Demarest or to Stoermer it is impossible to state, for there is no record of it. Both Stoermer and Miss Oswald state, however, that Miss Oswald never received a cent for the use of the films.

In soliciting funds little attention seems to have been paid to the truth of the statements made to the public when appeals were made. The correspondence shows that Hamilton Fish, jr., wrote to Andrew Carnegie soliciting a contribution and said, "The work of the American Ambulance in Russia is accomplished with practically no overhead charges. Therefore all the money that is contributed will go for buying automobiles and surgical supplies. The Russian Government provides for the maintenance of the machines and supplies the gasoline." Upon the receipt of this communication Mr. Carnegie gave $1,000. In the printed appeal issued by the society in 1917 we find the following remarkable statements:

"The American Ambulance in Russia is the only American organization working with the Russian Army. It consists of 50 ambulances and a field hospital and is doing active service in the Carpathian Mountains. * * * We take gladly one penny or a million pennies; every one will go directly to Russia, with no deduction, and will reach them in their hour of suffering."

On October 31, 1917, a letter was sent out making an appeal for funds in which a statement was made that "for two years the Ambulance had been saving lives in Russia," with the further statement that 30 ambulances had been sent to Russia and that "40 more of our cars are on the way."

An appeal was made to the Elks, New York Lodge No. 1, for funds, and in that appeal it was specifically stated that every cent of the money would be used for relief work. Accordingly a check for $684.65, the balance of an ambulance fund on hand with the Elks, was forwarded to the American Ambulance in Russia on October 1, 1917, and on October 4 the treasurer of that organization acknowledged receipt of the check and stated, "the funds that you have given us will be expended for a shipment which will leave for Archangel in three days, and you can be assured that in a few weeks your money will be translated into actual help for the Russian soldiers that are actually behind the firing line." At the time the check was solicited from the Elks the American Ambulance in Russia made the following statement in a letter to the Elks: "At the present time we have 48 ambulances in operation on the Russian front, constituting the only American unit engaged in field service." The investigation discloses that at no time did they have more than 19 ambulances in Russia, and in fact those were all the ambulances that were shipped, and of the sum that had been donated by the Elks 20 per cent, or $136.93, had been paid to Stoermer on the same day that the Elks' check was received, and on the stub of the check paying the money to Stoermer the following entry was made: "Elks Club, acquisition expenses."

Although Hamilton Fish, jr., had written to contributors that all the money contributed would go for buying automobiles and supplies, nevertheless we find in the audit the following interesting expense items: "Field administrative expenses, $7,432.87; circularization and administrative, $8,438.50." We also find such interesting entries as "Miss Clark's shirt, $6.21; decorations, $4.75; extra meals, $1.50; taxi to Ritz and return, Leydig, $5.90; dog booth, $125; Napoleon's Dream Book, $43" (Napoleon's Dream Book, we are informed, may be bought at any local book store at 25 to 50 cents a copy); "dinner for six, $24; October 22, mayor's dinner, $12.85; November 24, supper of party of five, car fares, tips, etc., $54.45."

It is said that an officer of the committee would carry around for days donation checks in his vest pocket, or leave them in correspondence baskets, pigeonholes, or drawers of his desk and forget about them until they were discovered some six or eight weeks later. On one occasion it is related that he came into the office and took out of his vest pocket pocket-worn checks, saying, "Here's some contributions I received, but I forgot to tell you about it."

The investigation disclosed that $275,635.13 had been raised by the Ambulance either in cash or in goods from the date of its organization in February, 1916. On December 6, 1917, however, there was a balance of $4,084.96 in the bank. So far as we could ascertain from the available records of the society, only $59,387.97 had been spent under the head of an automobile account, although the primary object of the fund was alleged to have been to supply ambulances in Russia, and the committee stated from time to time that the ambulances would be operated at the expense of the Russian Government.

The bills of lading would indicate that 38 ambulances had been shipped or were about to be shipped, although Dr. Newton, a member of the committee and the surgeon directly in charge of the field service, specifically states that only 19 ambulances had been actually shipped abroad. Dr. Newton further stated that 16 Studebaker cars had been bought but not shipped on account of the revolution. These ambulances, it was stated, were on hand in storehouses on December 6, 1917, awaiting shipping orders. One of the ambulances was loaned to the Fifteenth New York Infantry at Camp Upton by Hamilton Fish, jr., and a bill for $600 damages on the car while it was at Upton was paid from the ambulance fund. A Ford ambulance car, which cost $1,100, was loaned to the Army Field Service here in New York and worn out.

There was also a chauffeur's bill of $25 a week, which was charged to the Ambulance; the chauffeur's duties were to take the assistant treasurer in a Studebaker car from her home to her place of business, and then to see that she had proper recreation at night; it is said nightly trips were made to Coney Island and other near-by health resorts. It is also said that a bookkeeper, who also acted as chauffeur for one of the members of the committee, and whose salary was charged to the American Ambulance in Russia, spent some time during August and September, 1917, in a county up State in an effort to gain for his master control of a party at the September primaries. This fact was admitted by the chauffeur in an examination in the district attorney's office in January, 1918.

Among the entries of expenses is noted the item of a trip to Russia by the treasurer, accompanied by a chauffeur or ambulance driver named Nelson Fel. The expense of this trip was charged to the ambulance fund. A letter written by Mrs. E. Nelson Fel, of Warrenton, Va., mother of Nelson Fel, to Hamilton Fish, jr., was found among the letters of the society. The letter expressed great indignation because young Fel was not at the front but was spending his time "hitting the high spots in Petrograd and in Moscow." She stated in her letter, "He knows Petrograd and Moscow hotel life, and it is a rather useless and demoralizing life at his age. I fear that the experience will not be profitable to him, and he would have been more usefully employed at home." The treasurer of the organization received $3,250 from the Foreign Merchandising Corporation, of 233 Broadway, for looking after some of their business interests during the trip. He also received $1,250 from Charles A. Boylston, of 61 Broadway, and $1,100 from the American Ambulance; also $1,000 from John Moffitt, as president of the Russian War Relief Committee. Part of the last sum, however, was refunded on his return to this country. An additional sum of $695 was paid to him, which he said he advanced to Fel while in Russia. The latter sum was directed by the district attorney to be returned to the American Ambulance in Russia.

At the conclusion of the investigation the affairs of the American Ambulance in Russia were closed by the order of the district attorney, and approximately $5,000 on hand, together with the equipment, valued at about $35,000, was directed to be turned over to the American Red Cross. It would appear, therefore, that of the vast sums actually collected for the American Ambulance in Russia only a small part went for the purpose for which the donors intended it, since only 19 ambulances and a field hospital, which cost about $10,000, were actually supplied. The total amount of money actually expended on ambulances and on the field hospital was therefore in the neighborhood of $50,000.

MINOR EXAMPLES OF THE WASTER TYPE OF CHARITY.

The Army and Navy bazaar and the American Ambulance in Russia are the major examples of the waster type of war-relief work. Before passing from this phase of the investigation it may not be amiss to note the following minor examples of the same type:

(1) The Italian-American Society for the Relief of the Blind, the Mutilated, and the Orphans of the War: Money was raised by this organization by sending throughout the city collectors who carried a box bearing the insignia of the Red Cross, and approximately $1,500 was collected in this way, of which sum only $300 reached the war

orphans and crippies. The collectors were working on a 25 per cent basis.

(2) The Italian-American Alliance bazaar: This bazaar was held at the Grand Central Palace on November 19, 1916. While $60,000 was collected from the public, only $13,000 was available for the war sufferers. The balance was dissipated in commissions, salaries, and exorbitant overhead expenses.

(3) The American Convalescent Home Association was conducted under the auspices of a cabaret dancer, who undertook to collect $500,000 for the purpose of establishing a home in France for American convalescent officers and officers on leave. A chateau was to be purchased as a headquarters, where officers were to be entertained by handsome, young, unmarried American girls. Moneys were collected by making appeals in restaurants, in taking up collections, and by the giving of entertainments. The exact amount raised by this scheme is unknown, but there is proof, however, that $500 to $600 was collected, but only $43 was available for the object of the enterprise; the balance, it is said, was spent by the youthful promoter on a trip to Palm Beach, where she went to recuperate after her efforts. The scheme was bitterly attacked by wives of officers in the service as scandalous; in one letter protesting against the enterprise an officer's wife wrote: "It seems to me that while in France there must be some officers' wives of the other allied armies capable of entertaining American officers without these unattached women hunting the job." The enterprise was abandoned at the request of the district attorney's office.

(4) The Holland-American Home for Belgium Widows and Orphans was conducted under the auspices of Miss Henrika A. C. Van der Flier, the daughter of a prominent official in Holland. She toured the country raising money, and on October 4, 1918, after nine months' efforts in this country, had succeeded in raising $9,595 at an expense of $8,028.

(5) The French restoration fund was a project conceived by the Countess Sartoris. The ostensible object of the fund was to restore part of devastated France. An examination into the accounts of the fund revealed the information that $9,000 had been raised at an expenditure of $7,000. At the request of the district attorney the work was discontinued.

III. Profiteering.

Profiteering in war-relief work, although manifesting itself in various forms and actuated by a variety of motives, may, nevertheless, be roughly defined as the exploitation of the patriotic public for private gain by devices which contribute some part of the net proceeds to charitable objects or operate exclusively to the advantage of the profiteer. The former class of cases embraces that variety of operations in which it is advertised or announced that a portion of the proceeds of the enterprise would be devoted to war-relief work. This form of profiteering, although usually done with the conscious expectation of private gain, was not without some degree of philanthropic spirit; while the latter form was commonly employed in cases where relief itself was exploited through the writing of a book or the solicitation of funds for personal relief upon some slight pretext to justify the appeal.

The following forceful denunciation of profiteering, issued by President Wilson, contains by implication both a definition and a remedy for this evil:

"Patriotism leaves profits out of the question. In these days of our supreme trial, when we are sending thousands and thousands of our young men across the seas to serve a great cause, no true man who stays behind to work for them and sustain them by his labor will ask himself what he is personally going to make out of that labor. No true patriot will permit himself to take toll of their heroism in money, or seek to grow rich by the shedding of their blood. * * * Profiteering that can not be got at by the restraints of conscience and love of country can be got at by taxation. There is such profiteering now, and the information with regard to it is available and indisputable."

PROFESSIONAL SOLICITING AND ADVERTISING.

The field of war-relief work proved a bonanza for the professional solicitor and advertiser. The privilege of soliciting donations for a particular fund or advertisements for special or souvenir journals and programs for benefits were farmed out to professionals. These parasites would immediately advertise for solicitors on a commission basis. It was shown that men and women of ill repute, those desperate both in morals and in fortune, flocked to these places and were set to work soliciting from the public without even the formality of an investigation; in fact, in some cases names and addresses were not taken before the solicitors were turned loose on the public. It is apparent that in numerous cases money thus collected was not even reported to headquarters.

In discussing the subject of bazaars and soliciting for charity, a leading advertising salesman in this city remarked:

"I recently met one of my former salesmen whom I had not seen for some time and found him to be the picture of opulence. I asked him what he was doing. He replied, 'I have one of the softest grafts in the world. I am putting on charity shows.' He went on to say that he had cleaned up $28,000 in six weeks from persons who had given his sweet girl solicitors money for tickets, which tickets the purchasers would not take because they could not attend the performances, and he said, 'There are numerous sources of income on the side, such as individual splits, advertising contracts, commissions, rebates, and padded expense accounts.'"

Methods of the most unscrupulous character were employed by the solicitors; prominent merchants in the city bearing German names were telephoned to or visited by them and were told that unless donations were received from them for certain benefits or advertising matter subscribed for their names would be reported to the United States Government as persons who ought to be interned.

Among the best-known charity advertising men and solicitors is Morton L. Palmer, already mentioned in connection with the American Ambulance in Russia. He moved in a select circle and addressed his appeals only to the wealthy; in his statement to the district attorney he said that he had collected $122,000 in one year for charity on a commission basis. He made a special trip across the continent for the American Ambulance Field Service in France and received all his expenses, $100 a week salary, and 1 per cent of the moneys collected. He admitted that he received a commission on $382,000 for his services on that trip, together with a salary and expenses, which netted him approximately $9,000 for 11 weeks' work. His annual net income from war-relief work was in the neighborhood of $20,000.

The activities of George F. Sweeney as an advertising solicitor have already been mentioned in connection with the Army and Navy Bazaar. Prior to his connection with the Army and Navy Bazaar he had worked for various war-relief societies in this city, sometimes on a salary and sometimes on a commission basis.

Another type of charity profiteering which may be classed under the head of advertising is the sale of space in newspapers to prominent men for the expression of patriotic sentiments. Typical of this is a scheme fathered by a Washington daily paper which engaged one Matt Glaser to solicit articles which were to be published in that newspaper under the title, "Greetings to the boys over there." The published article was to be prepared by a hack writer and signed by a man of prominence. For this privilege each contributor was charged from $100 to $500. The scheme was called to the attention of the editor of that paper, who immediately withdrew the proposition and stated that he did not realize that the work might be subject to criticism.

William Baxter, of We Boys fame (a notorious coterie of confidence men that had headquarters at the Hotel McAlpin), was a professional solicitor who early turned his attention to war-relief work. He was engaged by the American Defense Society on a commission basis ranging from 25 to 50 per cent; he succeeded in raising upward of $90,000 for that organization before his reputation became known to the officers of the society, when he was dismissed.

Forsyth & Fisk were an advertising and soliciting concern, with an office at 200 Fifth Avenue, that made a specialty of war-relief work. Their first venture in this field was a benefit at the Century Theater for the French and British war-relief work. That work was conducted on the basis of a 25–75 per cent division; that is, Forsyth & Fisk received 75 per cent of the proceeds and 25 per cent went to the relief fund. In January, 1917, they conducted a benefit for the Junior League, of which Mrs. Frances Riker is chairman, on a 33⅓–66⅔ per cent basis. In February, 1917, they conducted a benefit for the Mecca Temple on a 25–75 per cent basis, and in March, 1917, they conducted a benefit for the Southern Industrial and Educational Association on a 15–85 per cent basis; in that same month they also conducted a benefit for the National Defense Convention on a 25–75 per cent basis. They had a contract with the Seventy-first Regiment for a benefit held in September, 1917, on a 30–70 per cent basis. On the benefit given for the Sixty-ninth Regiment they had a 35–65 per cent contract, and for soliciting funds on behalf of the United States Boy Scouts in June, July, August, and September, 1917, they received 75 per cent of the amount collected. This firm conducted a benefit for the Fourteenth Regiment during the same year on a 50–50 basis. They collected approximately $30,000 in donations and in advertisements for the benefit of the Seventy-first Regiment and attempted to withhold 70 per cent of the donations as well as of the advertising money. An officer of the regiment, however, brought the matter to the attention of the district attorney and restitution was forced and the donations were turned over to the regiment without one cent deduction. When the district attorney began his investigation into war charities the firm of Forsyth & Fisk dissolved and quietly retired from business.

William Garland Brown was an advertising solicitor in business lines who found the charity field more lucrative. He worked for the National Emergency Relief Society, of which Mrs. William Cumming Story was president. As stated in another part of this report, he collected for this society on a "50-50" basis, after making arrangements with a member of the Story family to share the profits for influence in swinging the contracts with the society. He also operated under the name of "Brother Cie." One of his schemes was the sale of Bouchor's war paintings. He advertised that the profits would be distributed to the "La Protection du Reforme No. 2," and to promote the sales he organized a committee of respectable names under the title of "Committee for the Protection of French Soldiers Retired for Disability" and sold, or attempted to sell, books at $25 apiece. The arrangements on the profits were so made that after the overhead expenses, including Brown's commissions, were paid, the surplus, if any, went to the benefit of the charity indicated. In his appeals to the public he stated, "We are handling the work without profit. No commissions or percentages are paid to anyone." The expense arrangements, however, were so made that there would be little or no profit and hence there was little or no donation to charity. It was a business enterprise conducted in the name of charity. Mr. Brown also solicited advertisements and contributions for the American Defense Society, the Junior Naval Reserve, and other organizations. He died on September 2, 1918, from Spanish influenza.

Another advertising firm that made a specialty of war-relief work was the firm of Curry & Saunders, who were undoubtedly the most unscrupulous solicitors in the business. They made arrangements for program advertising and the soliciting of donations for any percentage they could obtain; and the percentages charged by them ran from 30 per cent to as high as 80 per cent. They had a contract on a 65 per cent basis with the Junior Patriots of America, of which Mrs. Oliver Harriman was chairman; later, however, this arrangement was reduced to 60 per cent. The firm, in soliciting advertising, repeatedly signed the name of Mrs. Oliver Harriman to requests for money against her express wishes and her demands to the contrary. When summoned to the district attorney's office for examination, they were accompanied by their counsel, Keevie Frankel, of 51 Chambers Street. During the course of their examination their memories became very faulty. They could not recall the names of the war charities they had worked for, nor could they give the percentages they had charged. They stated they could not make satisfactory answers to the questions asked them without first refreshing their recollection by referring to their books and records. Upon their promise to produce their books the next day the examination was adjourned. The next day they returned to the district attorney's office without the books and records, and told the pitiful story that the night before some one had broken into their office and had taken every record, book, or paper, and had destroyed them. Even their canceled check vouchers had been removed and destroyed. Curry was indicted on a charge of forging Mrs. Harriman's name to a request for funds. Saunders turned State's evidence against Curry and revealed the unscrupulous methods of the firm. He stated that in numerous instances checks, aggregating thousands of dollars, were collected, cashed, and the proceeds misappropriated, without a cent going to the charity for which it was intended. The firm was forced out of business.

The Wheaton Service Corporation, of which Edward F. Wheaton was president, and E. J. Hutson, treasurer, was organized for the specific purpose of exploiting war-relief work. They had contracts with the Ninth Regiment, the Twelfth Regiment, and the Thirteenth Coast Artillery for the solicitation of advertisements and donations. Edward F. Wheaton, the president, is an ex-convict, having served a term in the workhouse at Columbus, Ohio, some six years ago for larceny; he was formerly associated in business with Clarence W. Robnet, who was sentenced to the penitentiary by an Iowa court. The contracts were usually in a 30–70 per cent basis; that is, 70 per cent went to the

Wheaton Service Corporation and 30 per cent to the charity for which the money was collected. After a visit to the district attorney's office, the corporation promptly retired from business. Wheaton left the city, and Hutson agreed to refund $1,500 to the war charity from which it was taken.

Samuel R. Wiley was an advertising solicitor associated with the Minute Men of America; he solicited advertisements for the program of the benefit and rally of that organization which was held at the Manhattan Opera House in November, 1917. Wiley was said to have received a flat salary of $30 a week and his solicitors were allowed 25 per cent commission on the amounts taken in. Wiley's picture is in the rogue's gallery, where he is listed as "a bogus collector"; he pleaded guilty in 1907 to the charge of fraudulently soliciting for charitable purposes. He also has retired as a charity worker.

MRS. WILLIAM CUMMING STORY AND THE NATIONAL EMERGENCY RELIEF SOCIETY.

The National Emergency Relief Society was organized in September, 1917, for the purpose of giving immediate relief and aid to enlisted men. The society has a membership of 125, and included on its roster are the names of many ladies of excellent social standing and reputation. Mrs. William Cumming Story, a well-known club woman, was president of this organization and the dominant figure in it.

The society raised approximately $30,000. The money was raised principally by an advertising solicitor named William Garland Brown on a 50 per cent–50 per cent contract; that is, Brown received 50 per cent on all moneys he solicited on behalf of the society. Solicitation was made on the representation that the money was to be used to purchase comfort kits for soldiers. The subscription blanks requested that checks be made to the order of the treasurer, but the return envelopes were so addressed that they were sent to Mrs. William Cumming Story, who, in turn, it is presumed, handed the checks over to the treasurer. Whether all the checks so received reached their destination can not be determined, for there is no way of checking them up.

It developed from the examination of Mr. Brown that 20 per cent of the net profits under his contract went to Sterling Story, the son of Mrs. William Cumming Story. Brown's net profit up to the date of his examination (Mar. 23, 1918) on the amount collected was, approximately, $3,500, and up to that time he had paid Sterling Story $715.15. It appeared from Brown's examination that Sterling Story had introduced Brown to his mother, and that after the contract had been put through by Mrs. Story with the National Emergency Relief Society Sterling Story came to Brown and demanded his share. Brown's statement of what Sterling said to him is as follows:

"He said he would like to get something out of it." * * * When I got down to the actual profit to me on the whole six months' contract, I find that I paid him 20 per cent for the work he did. I paid him the equivalent of 20 per cent on the whole net profit."

Brown, in an effort to justify his relations with Sterling Story, added that Story was paid this money because he had handed to Brown's stenographers names to whom literature was to be addressed. He stated, however, that under no circumstances would he have engaged Sterling Story on a salary basis, adding that "on a salary proposition I wouldn't give him 20 cents a week—he was too unreliable."

In further explaining his relations with Sterling Story, Brown stated that he had met him while he was working with the American Defense Society two years before, and that Sterling Story was on the pay roll of that society; and that when Brown later went with the Junior Naval Reserve he found Sterling Story was also engaged by that society on a salary.

Mrs. Story has endeavored to justify before the society the moneys paid to her son on the theory that he had done other work for Mr. Brown. On this point Mr. Brown's statement is as follows:

"Q. Did Sterling Story ever work for you while you were connected with the American Defense Society or the Junior Naval Reserve?—A. No, sir.

"Q. He was not on your pay roll at any time?—A. No, sir.

"Q. Did you ever pay Sterling Story anything except the moneys you have specified here?—A. No, sir.

"Q. You never paid him for any work on the American Defense Society?—A. No; that was two years before.

"Q. Never anything on the Junior Naval Reserve or any other organization?—A. No, sir; I don't recall paying him a cent.

"Q. The money you paid him was the correct percentage on the work done for the National Emergency Relief Society?—A. Yes."

Upon the direction of the district attorney's office, on March 18, 1918, the "50–50" contract with Mr. Brown was canceled.

It may not be amiss to state that in December, 1917, Mrs. Story was requested to call at the office of the district attorney where she was informed that the district attorney did not look with favor upon "50–50" contracts and considered that contracts of that character were unconscionable and a fraud upon the public. At that time Mr. Brown had a contract with the society on a 40–60 per cent basis; that is, 40 per cent of the proceeds went to Brown and 60 per cent to the society, and notwithstanding the fact that both Mr. Brown and Mrs. Story had been warned in the manner indicated, a new contract on a "50–50" basis was thereafter entered into between Brown and the society under negotiations conducted by Mrs. Story.

It also appeared in the early history of the society that Mrs. Story had made an attempt to induce the society to publish a book written by Brown entitled "The Home Economic Book." The attempt, however, was unsuccessful. It would have required upward of $5,000 to $10,000 to properly finance the publication and advertise the sale of the book, and it was only by the watchfulness of some of the members that the proposition was thwarted. It did not appear, however, that Mrs. Story had any financial interest in the proposition.

It is remarkable to note that although a treasurer had been duly elected by the society and had had the custody of upward of $14,000, Mrs. Story saw fit to collect from Hero Land $325 in March, 1918, which check she did not turn over to the treasurer until advised to do so by her counsel some months later after the district attorney had indicated that the retention of the check might constitute larceny.

The investigation into the affairs of his society revealed another interesting item of information, and that is Sterling Story's activities in regard to the printing bills. The society contracted printing bills with one Robert Myer to the amount of $860.65, on which a commission of 10 per cent was given to a Mr. Gunthler, a solicitor who was associated with Sterling Story in the Naval and Merchant Marine Corps of the United States of America. Mr. Myer's books reveal the fact that the entries for the different printing orders were sometimes made in the name of Sterling Story and sometimes in the name of the National Emergency Relief Society. Whether any member of the Story family shared in the commissions on printing was not disclosed by the investigation.

A second son, Allen Story, received a commission of $90 for the rental of No. 238 Madison Avenue as a headquarters for the society. The negotiations for the leases were conducted by Mrs. Story.

Mrs. Story has been interested for some time in patriotic and war-relief societies. She was director general of the Daughters of the American Revolution for two terms and is a member of the Colonial Dames. Some time ago she became a member of the American Defense Society, and shortly thereafter became chairman of the woman's division of that society. Her son, Sterling Story, was put on the pay roll of the American Defense Society at a handsome salary. Mrs. Story was later dropped from the society.

Mrs. Story was also a member of the Naval and Merchant Marine Corps of the United States Army, and her name appears on the letterhead of that organization as national vice president; her son, Sterling Story, appears as commander, and Capt. Lewis Till as commandant; Sterling Story also succeeded in getting his name on the pay roll of the Marine Corps. Sterling Story and Capt. Till had complete charge of the affairs of the Naval and Merchant Marine Corps of the United States Army until it became involved in financial difficulties. Capt. Till stated that he had a post-office box at the Seventy-first Regiment Armory, and that all letters and donations were sent there, and that no one had a key to his letter box there excepting himself and Sterling Story. There was an "irregularity" of some $3,700 in the corps, which Capt. Till has been allowed to account for at his leisure, and the Naval and Marine Corps of the United States Army passed out of existence; its work was taken up by the American Junior Naval Reserve. While the Naval and Merchant Marine Corps of the United States Army was in progress Mrs. Story unsuccessfully attempted to amalgamate it with the National Emergency Relief Society.

Mrs. Story and her two sons were indicted for accepting illegal commissions; additional indictments were also filed against Mrs. Story charging her with larceny. On September 2, 1918, Mr. Brown, who was the principal witness against the Storys, died, and with his death the indictments must fall.

Baroness H———.

The Baroness H——— is the daughter of a well-known American actor and the wife of a French artist. They had a small summer place in France which was in the war zone and in the path of the German advance on Paris. The place was captured by the Germans, but was later recaptured by the French. Her war experiences were put into book form, the books being based on her alleged experiences with the Germans and the capture of her home. She has lectured extensively in this country in behalf of war-relief work, her lectures containing the same alleged experiences related in her books. Her method of raising funds is to lecture before clubs, societies, and at public meetings, and immediately following the lectures an appeal for money is made. The work is conducted under the auspices of a fund for the ostensible purpose of furnishing a hospital said to be located in her home in France. At the lectures she also sells lithographs of her husband's paintings for $5 apiece. It is said that her book contains many fictions and exaggerations, and that the ancestral chateau which is so elaborately described in her writings was a small place bought on mortgage shortly before the war in which they invested $700. The retinue of servants, automobiles, and carriages, we are informed, consisted of one horse, a cart, and a driving carriage, and the only servants were a peasant and his wife, who worked in and about the chateau. Her income from charity work, from royalty on her books, from the sale of lithographs of her husband's paintings, and fees for lectures amount to $15,000 annually. It is nevertheless true that she raised some $30,000 or $40,000 for the hospital fund. The accounts of this fund are regularly and well audited, and the moneys furnished forwarded to France. The fact remains, however, that she is making a handsome yearly profit out of her war-relief work and her war experience.

Countess T———.

Countess T——— came to this country in October, 1915, and since that time has been engaged in war-relief work and in raising funds for a European reconstruction committee. A trial balance of the committee submitted on October 8, 1918, showed that the committee had raised $31,097.24.

Mrs. T——— is the daughter of an architect and mining engineer and was born in Canada, but came to New York City at an early age. At present she is living with her sister in a small New Jersey town. In 1901 and 1902 she sang in the choir of a church in New York City. * * * At that time she was an amateur actress and appeared in Shakespearean rôles. She went abroad in 1904 or 1905 to complete her musical education in Berlin, and was singing professionally in that city and other places in Germany in 1910. She claims to have married in 1907 a professor in one of the leading universities in Europe. She has three children, whom she brought with her from her adopted country in 1915. She has written a book * * * in which she describes her alleged experiences with the Germans. The following is a brief review of her published story:

The book purports to relate the experiences of an American woman during the German invasion of Poland and is advertised as an authentic account of experiences that actually happened. She tells her experiences since the outbreak of the war in 1914, when the Germans invaded Poland and captured her home, and she discusses her escape from Poland into Berlin, and from Berlin to America, through Holland, early in 1915. The book is written in true dramatic form with all the elements present that appeal to the sympathies. She lays considerable stress on the fact that she was alone with her three children, who were sick with typhus fever, and in true melodramatic form states that her husband, who just left to go on a Government mission a day before, was always absent when each misfortune befell her. She relates that one of her children was taken ill with typhus fever, and she was unable to leave the place until after it was captured by the Germans. Then briefly follows her experience with the Germans who were quartered within her house and a description in detail of how she finally obtained leave to go to Berlin, where she met the American ambassador, James W. Gerard, and through his good offices was able to get a passport to New York. Her application for a passport, however, was delayed until some one could be found to identify her. With an art that was worthy of the genius of George M. Cohan, at the proper time a man was found who heard her sing the Star Spangled Banner in Berlin some six years prior, and upon his identification the passport was issued. In order to fully arouse sympathy and to show that she was hounded even in America, she states that she was met at the pier in New York by three German women of wealth, who offered her money and help, all of which she spurned; and from the pier, as the story runs in the book, she went to the Martha Washington Hotel, where she reduced her mournful tale to writing.

She refers often in her book to the various homes, to her great retinue of servants, to her art treasures, and to her libraries and paintings; and she frequently related that while she was detained by the Germans she fed prisoners of war with a lavish hand; indeed, it is remarkable the number of clothes that her husband had; she kept giving them to soldiers, to prisoners of war, and to friends of Poland in a way that

was astounding. She describes in an amazing manner the condition of her house after the Prussian soldiers left and tells with descriptive effect how her libraries, tapestries, bookcases, and priceless treasures had been cut, demolished, and befouled by the retreating Hun.

However, during all these horrible experiences she never saw her husband and only heard from him through messenger or by telegraph; always laying emphasis on the fact that when the horrible experiences occurred she was alone with her children. She describes in detail the condition of the refugees, telling how the women were maltreated and rushed to the railroad station, some of them giving birth to children in the station and on the trains; she tells how pitiful the prisoners of war were—the Poles who, starved by the Germans, dug out of dung heaps and in hospital yards crusts of bread and ate them.

While she does not mention Von Hindenburg by name, yet at page 119 she states that "the next Friday the great man who was quartered with us," referring to Von Hindenburg; and then she describes him as a glutton and a drunkard. He drank copiously; in fact, "I have never seen such a capacity for 'schnaps,' ate tremendously, and the only topic of conversation was what he had done or was about to do." She also states that he was quartered in the house for some time, and at page 123 she refers to the fact that the Crown Prince, although she does not mention him by name, visited Von Hindenburg and stayed at her house. Her statement reads, "On the last day when the great man was with us, another great personage was also there, quite a fat, beery, scion of royalty, neither clever nor interesting."

And while she does not mention in her book the fact that she had been insulted by German officers, yet she tells how her servant was taken by the Germans and delivered to the soldiers; and when she asked the officer to return the girl he said, "I am very sorry, but you are not allowed to take her; she belongs to the soldiers," intimating that the girl had been outraged by the soldiers, who had given her a horrible disease.

Mrs. ———'s activities have been carefully investigated, and the conclusion seems to be inevitable that statements in the book are greatly exaggerated.

She was the wife of a railroad engineer at ———, with a very small income and no social standing. Since she came to this country it is said that she has been associated with the K. O. N., the Polish National Defense Committee, the leader of which movement is one X——— * * *. It is said he was associated with Soukhomlinoff, the infamous Russian minister of war, who was tried by the Kerensky government and sentenced to life imprisonment for treason. X——— was looked upon as decidedly pro-German; he is now in this country, and it is stated that he is against anyone of prominence who is interested in the welfare of Poland, and he is particularly opposed, and has been for some time, to Paderewski and the patriotic interests he represents.

It seems to be a well-established fact that neither Von Hindenburg nor the Crown Prince was in the neighborhood of the town where "The Countess" says Hindenburg was stationed at her house, and it is also doubted whether she was ever taken prisoner. Those familiar with conditions in Poland declare that the statements contained in her book are unreliable.

A prominent English official writes concerning her property in Poland:

"The nature of his employment [the husband of Mrs. T———] would seem to indicate that he had no fortune of his own, and the lady's declaration in the course of a New York interview to the effect that she paid the greater part of the contribution of 200,000 rubles levied by the Germans upon the Polish-Russian town of ———, where her husband was employed as a professor, should be received with a considerable amount of caution."

One thing seems to be certain, and that is that the T——— family is not a family of noble blood; her husband was not a count, and the Marquisate of Y——— is unknown. Neither of these titles appear in the pages of any of the official and standard lists dealing with the Russian, the Polish, or the German aristocracy. When she first arrived in this country it is stated that she assumed the title of marchioness. However, when her attention was called to the fact that the title of marchioness was essentially French or English, she discarded it and called herself a princess for a short time. That title became too conspicuous, and she condescended to take the title of "countess," which she is now using, and permits herself to be so advertised in the public press. Students of conditions in Poland say that there are very few counts in Poland; Poland was the first Republic, and that anyone who distinguished himself on the battle field had the right to put "Icz" or "Ski" after his name, showing that he had rendered distinguished services to his country. It seems to be established beyond doubt that while in Poland "The Countess" lived very modestly in a small house in a summer resort near ———, and because of lack of money was not able to rent an apartment for the winter in that city itself.

It is remarkable that once having been captured by the Germans, she was permitted to be released and allowed to proceed to America unhindered. She avers that her husband up to the time of the armistice was held as a prisoner of war by the Germans.

It has been repeatedly hinted that the family in Poland were pro-German and were so listed by the patriotic Poles in Russia.

The fact seems to point to the inference that since she came to this country "The Countess" has greatly improved her financial and social condition, and that her war-relief work has contributed handsomely to her purse. She admitted in her examination in the district attorney's office that "The first year I had a very hard time, because the Germans persecuted me continually, and after that I wrote my book, and then it got better * * *. Then, finally, some of my friends organized the 'reconstruction committee.'"

She stated that she received $5,000 a year as a royalty on her book; that she also received $250 a month from the reconstruction committee; and that she sometimes received $200 per lecture for her lecture work.

In her lectures it is said that she capitalizes the claim that she was made a prisoner of war by Von Hindenburg; that her chateau was occupied by him, and that at times she had to wait upon him. As late as October 15, 1918, her press agent sent out a notice, which read in part as follows:

"The Countess ———, whose chateau was captured and occupied by Gen. Von Hindenburg as he entered Russia, and who was forced to wait upon him, will speak before members and friends of the Institutional Synagogue this Sunday morning at the Mount Morris Theater."

This, we are informed by intelligent Poles of this country, is typical of the press notices sent out on her behalf and with her sanction.

THE DRAKE SECTION SANITAIRE.

A remarkable incident of the charity investigation was the exposure of the Drake Section Sanitaire, organized and conducted under the auspices of Miss Ethel Langdon Drake; associated with her was Mrs. Mary E. Symons. Miss Drake attempted to recruit young women drivers for a thousand ambulances, which, it is alleged, she intended to equip and send to France. An appeal was made to the public for funds on behalf of the Hospital Symons-Drake, France, as well as for the Drake ambulance. The appeal for the hospital was made in behalf of special funds—the barraque fund, the bed fund, the refugee fund, and the surgical-instrument fund—all being grouped under the general head of the Hospital Symons-Drake, France. A hospital was to be established in France when contributions of the charitably inclined permitted it. Miss Drake's name appeared as secretary and treasurer of the Hospital Symons-Drake, France, and a prominent banking house in New York City was named as the depositary of the fund.

In the ambulance fund Miss Drake was able to gather together 20 or 30 women of excellent social standing, who were drilling and recruiting for the ambulance corps. Nine of the recruits resided in New York City; others came from the West and Southwest, and one young lady came from San Antonio, Tex. They were obliged to pay Miss Drake the sum of $100 a month for the privilege of belonging to the corps, and in return were to receive such training as she saw fit to give. For this purpose a training camp was established at the Oaks, Bayside, Long Island, N. Y., where the young ladies went into the active training. They arose at 6 o'clock every morning and worked and drilled until 9 o'clock at night. They slept in tents on the drill ground and dined in the mansion house on the premises, which they also used as a dressing room, and paraded a distance of several hundred feet from the mansion to their tents nightly in their pajamas.

It was revealed that Miss Drake had written to officers of the French Army letters in which she offered to donate to them 23 motor ambulances, a touring car, and a touring van. She received in return from each of the officers a letter thanking her for her donation of the 25 motor cars. These letters were published in a circular, without the explanation that the letters only accepted the offer made, and that the cars were not actually delivered; the public were, therefore, led to believe that the cars were actually donated and delivered, and that the published letters from the officers were in grateful acknowledgment and appreciation of her gift. In her examination Miss Drake admitted that the circular was misleading and that the statement quoted below should read that the ambulances were intended to be given.

"The 25 ambulances which Miss Drake has already given provide partial relief to one army, but the need is manifold, and Miss Drake is hoping to be able to take back with her from 500 to 1,000 ambulances. * * * As you read the expression of gratitude for the 25 ambulances already accepted, contained in the early letters and as the spirit of appreciation sent forth in the letter of May 24, then ask yourself what measure of thanks will be yours when Miss Drake is able to offer the magnificent donation of 500 or 1,000 ambulances above referred to."

Arrangements had been made with Mrs. William A. Gavin, the well-known golf player, to give golf tournaments throughout the country, the proceeds of which were to go to the Drake Section Sanitaire. Upward of $30,000 was raised in this manner by Mrs. Gavin, but had not been delivered to the Drake Section Sanitaire when the district attorney's attention was first attracted to the fund.

Miss Drake, who is 43 years of age, dressed in the uniform of a nurse, which bore a striking resemblance to the dress of a sister of a religious order.

Miss Drake and Mrs. Symons had a suite of rooms at the Ritz-Carlton Hotel, in New York City, which were used as headquarters. Miss Drake has had an interesting career; her secretary stated that "she started in the charity game with nothing but a comb and a brush." It is said that Miss Drake was born in a small town in Massachusetts. She was for some time a dressmaker in Chicago, a venture which resulted in failure; she then went to Boston and became a Christian Science healer. From Boston she went to France, and then to England. In London, at a card party, she met Mrs. Mary E. Symons, the wife of a major in the British Army, who also has a son in the British Army.

Mrs. Symons wears two decorations for war-relief work. One is the Croix de Guerre and the other is the gold medal of the La Ministre des Affaires Etranger, which she received for valor in ambulance work under fire. It is stated that these medals were often worn by Miss Drake as her own, and that she had her picture taken in her nurse's uniform wearing the decorations. Mrs. Symons had a small monthly allowance, and came under the influence of Miss Drake, who induced her to leave England and come to the United States for the purpose of recruiting the Drake ambulance corps. Because of the relations existing between the two women, Mrs. Symons admitted that her husband had forced her from his house.

When Miss Drake was confronted with the facts in the case she consented to discontinue her war-relief work in this country. Thereupon the ambulance corps was disbanded, the recruits returned to their homes, and the moneys which had been collected were directed to be turned over to M. Jusserand, the French ambassador, or returned to the donors. The young ladies who were recruits in the ambulance corps were mulcted of the money that they had paid for uniforms and for transportation, and had nothing from the enterprise but experience.

COUNTESS CHIQUITA (CHIC) MAZZUCHI.

The Countess Mazzuchi (known as the Angel of the Marne) claims that she was born at Singapore, China, 30 years ago, and that she is the daughter of a Spanish ambassador and an English woman. She also states that she is a niece of Cardinal Vaughan, and that her first husband was Lord Seymour, a nephew of Admiral Seymour.

She first attracted attention as a speaker at Keith's Theater for the Red Cross drive and other war-relief work. It subsequently developed that she was receiving $200 a week from the Keith Circuit for her appearances. Accounts of her alleged experiences in the war zone had been published in the New York press from time to time, which accounts she admits were grossly exaggerated.

She avers that she has done considerable war relief and hospital work in the war zone, and now suffers from "trench feet," and that while driving an ambulance she was wounded in the hip by the Germans. The following quotation is from her statement given in the district attorney's office on June 22, 1918: "I have a dirty German bullet in my left hip. Just feel it. Lots of people have felt!"

For a time she occupied an apartment at 28 West Fifty-seventh Street, which was used as an assembly room for soldiers and officers.

Her favorite method of collecting was to assemble a number of officers or enlisted men and tour the hotels at Long Beach and other resorts. The young men would sing camp songs and the "Countess" would deliver a thrilling speech and then take up a collection. How much money was collected in this way and what became of it is impossible to state.

Our investigations show that the "Countess" was a well-known figure on the Great White Way in 1901, when, under the name of "Clarita Vidal," she was a chorus girl in "Floradora," "The Silver Slipper,"

"Cynthia," "The School Girl," and other productions. She was a member of the Stanford White coterie, and her name appears in the press of that year in several startling episodes. Two or three years ago she was divorced by her second husband, and the custody of her child was taken away from her on the ground that she was an unfit person to have charge of it. The child is now in a convent in Italy.

Our reports would indicate that for a year previous to her appearance in New York, in July last, she was living in a villa in San Remo, while, according to her stories, she was performing wonderful feats of valor in hospitals at the front.

Upon information adduced in the investigation of her activities, the district attorney requested her to discontinue her war-relief work.

THEATERS AND MUSIC.

The sale of songs on the streets, in public places, conveyances, and places of amusement has been an annoying source of fraud in the charity field. A number of musicians and song writers, inspired by the activities of the war, composed songs of mediocre quality, which they farmed out to publishers or to agencies for publication. Singers were engaged to go into public restaurants and public gatherings to sing the songs to the accompaniment of music, while an associate passed among the crowd and sold copies at a small price. In many instances, especially in the better-class cafés, large sums of money were dropped into the basket for a song and no change received. It is said that amounts ranging from $1 to $10 were dropped in the basket and the holder of the basket told to donate the entire proceeds to charity. In these cases the fixed prices for the songs were usually turned into the fund and the balance was kept by the worker. Occasionally the entire proceeds were kept. It was a favorite feature to have a man in a soldier's or sailor's uniform sing the song.

In January, 1918, George Heather, his mother, Mrs. Heather, and an associate, Mrs. Blanche Moore, were arrested in the Black Cat Restaurant, at 557 West Broadway. Heather, dressed in sailor's uniform, sang a song entitled "Do Your Bit; Buy a Bit for Our Boys in France." The song was written by George F. Bickford, of Brooklyn, and its cover carried the reputed indorsement of Cardinal Gibbons, Theodore Roosevelt, and other persons of prominence. While selling the song Heather would announce that the proceeds were for "Our boys in France tobacco fund." The trio was turned over to the United States authorities, and Heather was subsequently indicted for illegally wearing a sailor's uniform.

Another form of fraud was that of padding the expense accounts of entertainments and benefits, and the filing of forged vouchers purporting to represent receipts from actors and actresses for money paid for services given at benefits, when the services were, in fact, voluntary. It is a well-known fact that actors and actresses gave their services and time generously and without charge to all war-relief work; our information, however, is that in many instances expense accounts were swollen by items purporting to represent sums of money paid to performers for their services. The money so entered was deducted by the promoters from the proceeds of the entertainment.

A new species of fraud is found in the practice of ticket speculators selling cards of admission to free entertainments. In November, 1917, a Red Cross entertainment was given at the Hippodrome at which there was no admission fee, entrance being by cards of admission issued to Red Cross workers. Some of these tickets fell into the hands of ticket speculators and seats were sold at from $3 to $10. On Liberty Day, October 12, 1918, a free entertainment and reception, at which President Wilson attended, was given at the Metropolitan Opera House; admission cards were issued to the liberty-loan workers, and many cards fell into the hands of ticket speculators, who sold them for prices that ran as high as $25 per seat.

The sale of complimentary tickets to theatrical benefits given by war-relief committees is a despicable form of fraud that was unearthed in the investigation. It appeared that in a number of cases where performances were given for war-relief work under the direction of theatrical agents, complimentary tickets punched "Complimentary" were directed to be issued to the press and to dramatic critics; in many instances, however, all tickets so punched and set aside for a special purpose were not delivered as directed, but were sold by the agencies and the money kept.

A source of complaint lodged in this office during the investigation was the overcharging for admission by ticket speculators to war-relief benefits and entertainments. During the benefit held for the Red Cross in May, 1917, at the Century Theater, tickets that ordinarily sold for $5 apiece were sold by speculators for $20; and at the benefit for the Sixty-ninth Regiment, held at the Hippodrome in September, 1918, tickets that ordinarily sold for $2.50 brought as high as $10 when sold by speculators. "Yip, Yip, Yaphank" was an entertainment given by the boys from Yaphank. Some of the tickets fell into the hands of speculators and the prices were, in many instances, doubled and tripled.

Even for the ordinary shows on holidays and Saturday nights, outrageous prices were charged to the men in the service. In one case brought to the attention of this office, on a Saturday night at the Hippodrome, a speculator sold a sailor two 50-cent tickets for $2.25 each, and there were many other instances of serious overcharges. The matter of ticket speculators, however, has been remedied by a city ordinance prepared in this office which has recently become a law.

IV. FOOLISH CHARITIES.

The investigation revealed many ill-conceived or absurd war-relief charities; oftimes these were well intended, and the promoters of the enterprise sincere, earnest, and honest. Under this heading we may mention the following typical examples:

(1) The American League for World Peace by Allied Victory, conceived and launched by Max Baum, of No. 553 West One hundred and eighty-seventh Street. A circular issued by Baum read:

"I have a project which will require from $250,000,000 to $500,000,000 to complete, and it is desirable that contributions of $500 and upward be received from each of many thousands of contributions. It is not my intention to handle any of the funds nor do I want any compensation or reward, except proper credit for my proposition."

In the *New York Herald*, of May 21, 1918, he inserted the following advertisement:

"American world patriots, Attention: 'Those only desiring allied victorious peace' do not neglect to communicate immediately for cooperation with Max C. Baum, No. 553 West One hundred and eighty-seventh Street."

When called before the grand jury he stated that his scheme was to build secretly 100,000 aeroplanes for immediate dispatch to Europe. He was to take them to Washington and turn them over to the Government. Notwithstanding the wildness of his scheme, he was able to attract the attention of men of wealth and standing in this country.

(2) The American Federation of Flying Yacht Clubs was a scheme inaugurated by Lieut. T. C. Mars. Life membership in the club was fixed at $1,000 each. H. W. Merwin, a professional solicitor, of 31 Nassau Street, was engaged to solicit membership on a "50-50" basis; $16,000 or $18,000 was raised in this way. Mars's scheme was to inaugurate clubs all over the country for the encouragement of flying as a sport and as a business enterprise. As far as could be ascertained, the only persons receiving any benefit from the enterprise was Mars and the solicitors. At the request of the district attorney the scheme was abandoned.

(3) The Godfathers' League of Our Allies was a scheme devised by George W. Gabriel, who signed himself as secretary. The object was to raise money for comforts and smokes for the boys "over there." The circular sent forth stated:

"You can adopt a soldier for the duration of the war by putting aside a stipend every month for him or send it to him as many times as you like; kindly designate, if any, which particular soldiers you care to help."

Only a small amount of money, however, was raised by Gabriel before he was requested to call at this office.

(4) The National Prayer for All Mothers of the Defenders of Democracy: It is difficult to ascertain the purpose of this organization. Its activities in New York were conducted by Brown-Lansdowne from offices in the Vanderbilt Avenue Building, 51 East Forty-second Street; appeals were made to the public for money, and our information is that the responses were so few that the society soon passed out of existence.

V. MISCELLANEOUS FRAUDS.

Under this heading are included minor methods and devices which proved to be a fertile field for fraud and graft.

(1) Block parties: Block parties became a popular institution in New York City during the past summer, and there is scarcely a block in the city in which a "party" has not been held and a service flag raised in honor of those who were called to the colors. Money to meet the expenses was raised by popular subscription; this money was expended for flags, decorations, music, fireworks, and kindred charges.

The amount raised varied with the enthusiasm and energy of the collectors; in some blocks as high as $1,500 has been raised, while in some sections of the city no more than $75 was secured. Complaints have been made that the money raised for these objects occasionally has been misappropriated. From investigations made into the conduct of many parties it is evident that respectable sums of money have been stolen; in many cases restitution of the money was forced, and in some cases the collectors disappeared from the city.

(2) Matrimonial agencies: With our advent into the war a number of enterprising men, usually of foreign birth, devised the scheme of instituting matrimonial agencies for the benefit and convenience of the men in the service. The ostensible object was to get dutiful wives for soldiers or prospective soldiers. In some instances the scheme was intended to help the soldier to evade the draft; in other instances, the bureau was conducted in good faith. However, in a number of the cases investigated, the bureaus were conducted for the sole purpose of defrauding the soldier. In one case brought to our attention by the Military Intelligence Bureau the matrimonial agency was operated by a Hungarian who was an ex-convict. His proposition was to put soldiers in communication with prospective brides for sums ranging from $5 to $25. Upon payment of the sum demanded, the names of four or five women were furnished to the soldier, who was to get in communication with them by letter. It developed that the director of the agency had in his employ some 8 or 10 servant girls, some of whom were married, some were widows, and others of questionable character; these were used as dupes for the soldiers. Upon payment of the money, the names, addresses, and photographs of the girl dupes were forwarded to the soldier, and after a little correspondence between the girl and the soldier (which was always conducted by the director of the agency himself and not by the girl), the correspondence ceased, and the soldier was out his money and also his bride. Because of the difficulty in getting the soldiers, who were serving in France, to appear as witnesses, no prosecution was attempted; however, the agency was closed.

(3) The Alien Women's and Children's Relief was conducted by Robert C. Veller and Rudolph C. Toth, two alien enemies. Their ostensible purpose was to raise money for the care of the children and families of interned alien enemies. Large sums of money were raised in this way, but very little of it was used to aid dependent families of those interned. Complaint against Veller and Toth is now pending in the district attorney's office and will be presented to the grand jury at an early date.

(4) The Children's Free Lunch League, at No. 4 East Thirty-ninth Street, was conducted by Bertha Herman and her husband. The scheme was to raise money for free lunches for children of soldiers in the American Army. During the time the league was in progress $2,100 was raised, of which sum $300 was actually expended for lunches; the balance of $1,800 went for overhead expenses and salaries. The enterprise was forced to discontinue.

(5) The Christian Nonsectarian Rescue Church of the Living God had headquarters at 336 West Forty-first Street. It is a mission conducted by colored people for the rescue of fallen men and women. It turned its activities to collecting funds for colored soldiers and their dependents. It is said that in the headquarters orgies were often indulged in at night under the guise of religious ceremonies. No record was kept of the moneys collected or disbursed, and they were unable to show that a single dollar of the money contributed had been expended for the families of the dependent colored soldiers in the service. Their activities in war-relief work were discontinued.

(6) Mrs. Smith, who conducts a boarding house in Brooklyn, conceived the idea of gathering canes and crutches for the wounded soldiers and sailors in the hospitals in Brooklyn. She advertised for canes and crutches in the Brooklyn and in the New York papers. Soon she had a large collection from a generous public. Some of the canes were very valuable, having silver and gold mountings, and some were made of rare wood. Instead of distributing the canes to the hospitals, she kept them in her home, placing them on exhibition in the hall racks, in the parlor, and upstairs. At the time the matter was called to the attention of this office upward of 300 canes and crutches were in her collection. She agreed to distribute the canes and cease from collecting others.

(7) Street collecting: The street collector is both a nuisance and a menace. There is no form of relief work that affords so many opportunities for petty fraud. His manner is sometimes obsequious, sometimes imperious, and often even threatening.

Every day the citizen is confronted on the street with urgent pleas to relieve some oppressing need of war sufferers. The blind soldier seems now to be the favorite subject of appeal on the street corner. There is nothing in the history of war that appeals so effectively to human nature as a soldier who has been blinded in the cause of his

country. Sometimes the request for money rolls glibly from the tongue of a fair solicitor and gallant man is unable to resist the call. The appeal of childhood is also availed of to open the recalcitrant pocket-book of the passer-by, thus subjecting the children employed to the temptations of petty graft in the soliciting of funds and the sale of minor articles on the streets and in public conveyances. The price was often overpaid by generous purchasers in the expectation that the full sum might find its way to the charitable object, subjecting the child to the temptation, frequently yielded to, of returning only the price set and appropriating the change.

VI. Patriotic Societies.

A related activity which came within the scope of the investigation was that of the so-called patriotic societies which sprang up throughout the country and met with varying degrees of success. While these institutions were not directly engaged in war relief work, the large sums collected by popular subscriptions to their treasuries suggested the need, as they came within the purview of the investigation, of scrutinizing their activities and bringing to light their methods and purposes.

The growing spirit of patriotism before America entered the war was played upon by the promoters of those institutions who rang the changes with flamboyant expressions of patriotic sentiments and sonorous title. The public purse was liberally tapped with apparently the same degree of sincerity and scrupulousness as that exhibited in war relief endeavors. Here, too, the same varieties of human weaknesses were disclosed. Many instances were discovered where "soi de sant" patriotic societies sprang up, mulcted the trusting and generous, and disbanded or disappeared.

Early in the investigation the attention of the district attorney's office was called to the so-called League for Loyal Americans (Inc.). The league was founded May 29, 1917, by Milo T. Bogart, as executive director, and established headquarters at No. 200 Broadway, New York City. The enrollment card upon which subscriptions were received bore in colors on its face the shield of the United States and the following statement: "I hereby declare myself in full sympathy with every movement that aims to unite American citizens in the cause for which the league stands—'America efficient, prepared, and protected.'"

Bogart, when examined, promptly confessed that he was an ex-convict, had served three years in the penitentiary at Chester, Ill., and admitted having collected $600 or $800 up to the time his corporation was investigated. He consented to discontinue his propaganda and retire from the field of patriotic and war-relief work. Such a man was able to include among his charter members such distinguished citizens as Hon. Elihu Root, Robert Bacon, Hon. Reed Smoot, Cornelius Vanderbilt, Hon. James W. Gerard, and Judge Norman S. Dike. His avowed object was to raise funds for the purpose of drilling American citizens and the organization of a well-prepared army for national defense.

The Loyal Publicity League of America was the title under which Chester A. Applegate and W. H. Thompson conducted an ostensibly patriotic society at 1482 Broadway, New York City. The vehicle here used to extract money for personal gain by patriotic appeal was the issuance to citizens of foreign birth of a formidable questionnaire upon which, if the answers under oath were satisfactory, a diploma or certificate of loyalty was issued for a specified fee. This diploma or certificate was represented as an open sesame to the select circle of patriotic Americans. This form of fraud was promptly suppressed.

A flagrant example of the uncontrolled institution of these societies is found in the case of the Boy Scouts of America and the United States Boy Scouts, two rival organizations in the Boy Scout movement in the United States. The Boy Scouts of America, from all appearances, is an organization that has been conducted upon a high moral plane, well administered, and its funds faithfully applied for the benefit of the youth of America, and has flourished for some years. The United States Boy Scouts, however, was an organization formed in competition with the Boy Scouts of America which capitalized the good name of its rival and secured money contributions through the misapprehension on the part of the donors that the moneys were to be applied for the support of the Boy Scouts of America, a confusion which the similarity of the names employed made possible.

Contributions were obtained by the United States Boy Scouts upon appeals containing statements admittedly false concerning the number of their members and the disposition of their funds, and, so far as has been revealed, the only beneficiary of the donations or activities of the organization is one Ammerman, treasurer, who conducts a jewelry business at Nos. 5 and 7 Dey Street, where he also maintains the national headquarters for the United States Boy Scouts. "Majors," "colonels," and other "officers" are appointed with reckless abandon by Ammerman wherever contributions may be stimulated thereby, and one of these officers, Col. J. E. Smith, an ex-convict, who served a term for bigamy in Indiana, was sent to places of amusement making appeals for funds and taking up collections. Neither the amount of money collected by the United States Boy Scouts nor the number of its members or the disposition of its funds has been ascertained; neither has it been revealed or discovered that any part of the funds collected have been expended for the benefit of the boys in whose behalf the donations were made.

The National Women's Army, conducted by Col. Netta I. Boardman, proposed the enrollment of women for military training for self-defense as a device for securing a membership fee. Funds were also raised by public entertainments and private appeals. No accounting was had and no record kept of the moneys received or disbursed, and at the request of the district attorney the "army" was disbanded.

A large and successful organization, formed and conducted under the guise of patriotism, is now the subject of investigation by the United States Congress. This organization has announced that its budget for 1918 was upward of $1,200,000, which money was for the ostensible purpose of spreading propaganda throughout the country for our national security and protection. No institution in the entire field have greater promise, by reason of the personnel of its officers, committees, and leading members, of sincerity and honesty of purpose, and none was accorded a more general and liberal support. Twofold, therefore, is the wrong perpetrated by such an institution when it appropriates the funds contributed to it and employs its influence for the advancement of partisan and personal interests in contravention of its avowed intentions and patriotic aims.

These flagrant examples of abuse of public confidence and the misdirection of patriotic impulses call for official scrutiny and control.

VII. Results of the Investigation.

As the investigation progressed and the intricate ramifications and vast proportions of waste and culpability were unfolded, it became apparent that the situation called for drastic and perhaps extra legal remedies for the protection of the public and the successful and honest conduct of war relief work.

For the achievement of this purpose the more available devices seemed to be the immediate warning and education of the public as to the methods employed, the suppression of unworthy and improper activities by prosecution where possible or by pitiless publicity where an element of strict legal proof might be wanting, and the enforcement of restitution of funds fraudulently derived or culpably misappropriated in the conduct of existing charities.

In every case where legal proof was unearthed the facts were immediately presented by the grand jury for action, the defendants placed on trial, and convictions obtained.

As a result of the publicity given to the fraud and waste discovered, 384 out of 534 charities investigated by the district attorney were forced to discontinue their activities, either as corrupt, dishonest, mismanaged, or in fraud of the public. Of the remaining 150 which were found worthy of full or some of public confidence, three-fourths were found to employ some vicious methods of collection, disbursement, accounting, or administration, but all of them cheerfully accepted suggestion and criticism and corrected the abuses pointed out. These societies thus improved continued their activities and achieved useful results.

Many estimable ladies, actuated by lofty motives and at great personal sacrifice, devoting their entire time and energy, and oftimes their money, were discouraged in their support of unworthy charities and found avenues for the useful expression of their zealous and wholehearted philanthropy. Much difficulty was experienced, however, in convincing some of them of the necessity of discontinuing their pet schemes, as they seemed obsessed with the view that because of some especial virtue in their particular work an exception should be made in their behalf.

In many instances where lack of witnesses, want of proper cooperation from the innocent parties involved, and other tactical reasons made it inadvisable to institute a criminal prosecution, but where moral obliquity was unquestionable, restitution was forced from the offender by the district attorney, and in this manner upward of $250,000 was restored to the charities for which the money was originally intended.

Some institutions which were discontinued under pressure of the investigation were closed out and their assets turned over to worthy charities. In this manner, in a single instance, $5,000 in cash and $35,000 worth of automobiles and goods were realized. Upward of $1,000 was restored to the American Ambulance in Russia; $30,000 realized from the discontinuance of the Drake Section Sanitaire was turned over to the French authorities or refunded to the donors; the firm of Forsyth & Fisk were compelled to return upward of $12,000 to the Seventy-first Regiment; and Mrs. L. L. Daniels and a man named King returned approximately $800 to the War Babies' Cradle.

In many other instances dishonest collectors or fraudulently or improperly conducted institutions were compelled to discontinue their operations and turn over their funds to substantial and reliable societies engaged in war-relief work.

The revelations of imposition, mismanagement, or misconduct in the collection and handling of funds solicited in the names of foreign societies and committees in America, and especialy in New York City, brought these activities to the attention of the foreign Governments and resulted in the suppression of the efforts by the respective Governments as an act of courtesy and respect to the United States. Many of these activities were doing worthy work and were properly administered and controlled, but with the advent of the United States into the world war the allied countries assumed the position that the generosity of the American public should not be diverted from the proper war-relief aims and needs of this country. In this connection the statement of a well-known representative of the British Embassy is of interest:

"I have strongly urged this afternoon to the British authorities here and to Lord Reading, British ambassador to Washington, that such activities * * * should be checked as being open to misconstruction. The American people, as a matter of fact, have been so generous in everything relative to entente relief funds that no appeals whatsoever should be made to them for contributions, save by societies which should receive proper approval and authorization from the local authorities here."

Italy, France, and Belgium adopted the same policy. In this manner the activities of Lady Kingston, wife of the Earl of Kingston, of Kilronian Castle on Shannon, County Roscommon, Ireland, were discontinued, although the lady enjoyed an excellent reputation and no objection to her methods of accounting was found. Lady Kingston's appeals were in behalf of the shamrock fund for disabled Irish soldiers.

The campaign conducted by Lord and Lady Aberdeen, instituted for raising funds for the welfare of Irish and Scotch orphans, was also discontinued at the request of the British Government when it was revealed that the lord and lady were employing the services of an impostor by the name of Carl Diener, and perhaps accepting some part or all of their expenses from the funds contributed.

As the searchlight of the investigation penetrated the dark corners where lurked the fraud, mismanagement, and corruption that were undermining the whole structure of war relief, the social "climber" and the social parasite who promoted waste and invited fraud and profiteering by their inefficiency and mismanagement were driven from the field lest their ambition for social preferment and advantage might lead them to public opprobrium and disgrace.

It is thus evident that the results of the investigation are not to be measured entirely by the court record of the prosecutions instituted and the number of convictions obtained or sentences imposed, but rather that the greater benefit was secured in the revelation of the frauds and vices practiced and indulged in the collection of funds for war relief, and the assistance and stimulus given in the rehabilitation of war relief effort on a constructive and sincere basis. It is, therefore, as a mere incident of this report that the following outline of the specific accomplishments of the investigation is included:

Résumé of the Results of the Investigation.

(1) Five hundred and thirty-four committees, societies, organizations, "funds," or "charities" investigated.

(2) One thousand five hundred and eighty-three witnesses examined.

(3) Nine hundred and forty-seven statements taken, covering 3,454 typewritten pages.

(4) Two thousand seven hundred and forty-two letters received and answered.

(5) Four thousand four hundred and sixty-three queries received by phone, by letter, or in person.

(6) Twenty-six indictments filed by the grand jury and a number of convictions had.

Among those indicted were Mrs. William Cumming Story; Charles Donald Fox, secretary of the Army and Navy Bazaar; "Doc" Waterbury, alias Julius L. Ford; George F. Sweeney and Arthur Curry, advertising solicitors; and The One Hundred Per Cent Boys, to wit, Michael J. Delehunty, Lester Winkelman, Alfred Gardner, James F. Mendels, and Fred J. Remsen.

Among the convicted were Eugene Jess, sentenced to State prison for not less than one year and three months or more than two years and six months; Lester Winkelman, sentenced to State prison for not less than three years nor more than six years; Charles Donald Fox, sentenced to not more than three years in the penitentiary; William J. F. O'Neill, sentenced to State prison for not less than two years and six months nor more than four years and six months; Michael J. Delehunty, sentenced to State prison for not less than three years nor more than six years, later released on parole for service to the State as a witness.

Fugitives from justice: Alfred Gardner ("Stuttering Al") and James F. Mendels, of The One Hundred Per Cent Boys.

(7) A presentment filed by the grand jury warning the public against waste and misappropriation in war-relief work.

(8) Three hundred and eighty-four committees, societies, organizations, "funds," or "charities" forced to discontinue their activities.

(9) Restitution to the extent of approximately $250,000 forced from fraudulent "charities" and swindlers.

(10) The suppression of The One Hundred Per Cent Boys: This coterie of ex-convicts, professional swindlers, and confidence men, who in eight months, under the guise of charity, fraudulently obtained $500,000 from the New York public, has been entirely wiped out, its members having either been sent to prison or are fugitives from justice.

(11) Gigantic frauds: The investigation revealed that during a period of one year in New York City approximately $4,000,000 had been stolen from the public in the name of charity.

(12) The elimination of the ex-convict and confidence man as a charity worker.

(13) The elimination of the charity worker or solicitor on a commission basis.

(14) The exposure of the "waster type" of war-relief charity.

(15) The enactment of an ordinance by the board of aldermen of the city of New York requiring the manager of a charity bazaar or entertainment to be licensed and to be placed under bond for a proper accounting of the funds raised by him.

(16) A partial list of discredited war-charity organizations:

Alien Women's and Children's Relief.
American Ambulance in Russia.
American Convalescent Home Association.
American Federation of Flying Yacht Clubs.
American-Italian War Relief Society.
American League for World Peace.
American Patriotic League.
Army and Navy Comfort Committee.
Belgium Babes Relief Committee (formerly the American Committee for Relief of Babes of Belgium).
American Soldiers' and Sailors' Christmas Cheer Fund.
Children's Free Lunch League (Inc.).
Cripples' War Relief Association (Inc.).
Drake Ambulance and Drake Section Sanitaire.
Fund for the Orphans of Italian Soldiers in Italy.
The Godfathers' League of Our Allies.
The Italian-American Society for the Relief of the Blind, the Mutilated, and the Orphans of the War.
The League of Loyal Americans.
The Loyal Legion of America.
The Loyalty League.
The Loyalty Publicity League of America.
The National Federation of the Committee for Assistance to Blind, Lame, and Mutilated Soldiers.
National War Relief Committee.
National Woman's Army.
The One Hundred Per Cent Boys.
The Penny-a-Week Fun (Nealy).
The Protection of French Soldiers Retired for Disability (Brahier Cie).
Samaritan Circle of the Fatherless Children of France.
Service Flag Hospitality.
Thanksgiving Dinner Fund for Soldiers.
World War League.
World War Record Association.

(17) Advertising solicitors forced out of war-relief work:

Curry & Saunders, working on a 50–75 per cent basis.
Forsyth & Fisk, working on a 40–85 per cent basis.
M. F. Sweeney, working on a 50–50 per cent basis.
Wheaton Service Corporation, working on a 40–70 per cent basis.

(18) Notorious ex-convicts forced out of war-relief work:

"Doc" Waterbury, alias Julius L. Ford.
Milo T. Bogart.
Nathaniel S. Shaw.
E. J. Wheaton.
C. H. Alshouse.
Samuel Wiley.
"Col." J. R. Smith.

(19) People of prominence who were requested to discontinue war relief work:

Lord and Lady Aberdeen.
Countess Sartoris (Mrs. Cecile Sartoris, wife of a grandson of Gen. U. S. Grant).
"Countess" Chic Mazzuchi (The "Angel of the Marne").
Miss Henrika A. C. van der Flier.
"Countess" Laura de Gozdawn Turczynowicz.
Seumas, chief of Clan Fhearguis of Stra-char and Clan Ailpein Argyle, Scotland.
Mrs. William Cumming Story.
Waldemar De Billie, manager of charity bazaars and entertainments.

VIII. Frauds Abroad.

As a necessary corollary to the investigation of war charities in America, with the ever-present question as to how the moneys were obtained and applied, the query as to how the funds, amounting to three or four billions of dollars, forwarded abroad have been expended and administered suggests itself with the irresistible suspicion of misapplication and waste.

The venal, incompetent, and dishonest organizations and committees operating in America forwarded their funds, in most instances, to correspondents of their own selection or original alliance, and upon the simple theory that "birds of a feather flock together" it may be inferred, without violence to reason or logic, that irregularities equally as serious would be discovered abroad in these instances.

It is readily apparent that opportunities for investigation and detection with the restraint consequent thereon were better in this country than abroad, and at least an equal amount of irregularity might therefore be the consequence of the lack of this restraint. Throughout the course of the investigation occasional war workers, returning soldiers, and others were interviewed, from whom sidelights on the methods pursued abroad were obtained, and while it may be said in frankness that insufficient information to legally substantiate the charge of corruption abroad was revealed, enough has been said and suggested to support the inference that substantial irregularities exist along the lines deduced from the revelations here. It has been asserted that upward of $50,000,000 has been fraudulently misappropriated or diverted from the funds sent to Europe, and that moneys are even returned to this country for the use of local confederates who had with apparent honesty in their records here forwarded the moneys collected here. It has been confidently asserted that many of the committees to whom funds were forwarded were mere dummies for the American operators and that the funds were misappropriated by the padding of accounts, rebates, commissions on purchases, and the payment of gratuities.

The assertion is publicly made and reiterated that materials actually intended for free distribution among the men in the service have instead been sold to them, often at exorbitant rates and in complete violation of the trust under which they were donated.

The public is entitled to know whether or not these accusations and suspicions are well founded, and if the public generosity and confidence has been betrayed the fact should be fearlessly revealed and the offenders promptly and mercilessly punished.

An investigation along the lines and with a view to the results achieved and methods pursued by the district attorney of New York County should be instituted immediately under the auspices of the Federal Government in cooperation with the district attorney of New York County, from whose jurisdiction so large a proportion of the funds were forwarded, and the results are sure to justify the expense involved and bring to their fruition the efforts expended in the investigation of war-relief work in the city of New York. It is the duty of the district attorney of New York County to take such steps as his jurisdictional limitations will permit to investigate and discover, if possible, whether or not moneys collected within his jurisdiction for war-relief purposes have been misappropriated by any person into whose hands they may have come. Nothing less will satisfy an interested public.

The need for such an investigation has not in any way been lessened by the cessation of hostilities, as relief work is needed even more for our men in the service and the stricken peoples of Europe.

IX. Inadequacy of the Law.

In the absence of legal proof, often difficult of acquirement, the district attorney was powerless to suppress or remedy the abuses discovered by strictly legal means, and except for the power of subpœna and investigation and the aid of the public press, reenforced by public opinion, the excellent results obtained and the vast savings achieved would never have been possible.

The more venal institutions kept no records, either of the persons interested, their officers, or their receipts and disbursements. In failing to make or keep such records no law was violated and no punishment could be meted out. Discovery of crime in such a case was therefore difficult, if not impossible, and only in occasional instances was evidence accidentally secured to justify a conviction. Any person of whatever character was and still is permitted to institute a war charity and to collect funds for war relief; even the identity of some of the principal malefactors can not be discovered.

The legal remedies available at present are the simple provisions of the penal law relating to the misappropriation of funds and the obtaining of money by false pretenses. As the law now stands, the power of the district attorney and the grand jury to investigate for the purpose of discovering the commission of a crime is rendered nugatory by the lack of any law requiring the registration of those engaged in war activities and the keeping and verification of accounts showing the amounts collected and disbursed.

The propriety of remedial legislation could not be more apparent, nor has the necessity therefor been lessened by the cessation of hostilities. So long as the shell-shattered remnants of the peasant homes of Europe remain unrebuilded, or a desecrated art treasure remains unrestored, so long will the appeal be heard and the generosity of America respond for "war relief." The wounded soldier and his dependents, the dependents of those who have died in the service, and even the families of those who fought and returned will, after their death, present a never-ending appeal to the sympathies and appreciation of the public with the everlasting memory of their services in the great world war. So long as any of these objects of popular charity remain, war relief activities will not down.

Little has been done by way of remedial legislation to correct these abuses in any part of the country. The State of Illinois is perhaps the only State in this country that has had any progressive legislation on the question of war-charity control. On July 1, 1917, a law went into effect in that State which places the matters of war charities and solicitations of funds in the hands of the State council of defense and gives that body full power and authority to issue and revoke licenses for the solicitation of funds. No person, society, club, or association is allowed to solicit without first getting a license from the State council of defense, which council is given power and authority to make rules and regulations for the registration of persons engaged in war-relief work and the issuance of licenses thereto. The law further provides that before any person can engage in war-relief work that person must file a statement with the State council of defense, the statement to contain the name of the war charity for which the person desires to solicit, the amount to be raised, the method and channel of raising and distributing the money, the amount of compensation to be paid for subscriptions, and the manner in which the money is to be distributed. The violation of this law is made a misdemeanor punishable by a fine of $1,000.

The Illinois law, however, has been in a way ineffectual, due to the fact that the State council of defense has not made proper provision for the investigation and checking up of the applicants and the verification of the statements filed; also in the matter of providing a sufficient number of investigators to see that the law is not violated. However,, the law is a good one and would be effective if properly prosecuted.

England in the war foresaw these necessities and enacted what is known as a general charities act, which became effective on the 23d day of August, 1916. This legislation seems to have solved the war-relief work situation for England; that is, so far as the protection of the public and the needy beneficiaries are concerned. Briefly, this act provides that it shall be unlawful for any person, committee, or organization to make any appeal to the public for donations or subscriptions in money or in kind for war charities or to raise or attempt to raise money for war charity by conducting a bazaar or entertainment, or by any means, unless the charity is registered. The law further designates the authorities with which charities shall be registered in the various communities, and that the charity can not be registered unless the registering authorities are satisfied that the charity is estab-

lished in good faith for charitable purposes, and that they will comply with the provisions of the war-charities law.

All charities registered are required to have their funds administered by a committee consisting of not less than three persons. Minutes of the committees are required to be kept and regular meetings held, and a proper audit of the committee's accounts is made mandatory. The manner in which the funds are disbursed is also required to be accounted for before the registrar. When any charity is found to be unworthy the registration is immediately revoked. The law is drastic, and anyone violating any of its provisions can be dealt with in a summary manner, subject to a fine, or given three months' imprisonment at hard labor. Profiteers and other persons, like Mrs. Story, Baroness H———, Countess T———, and thousands of others could not operate under such a law, and for that reason they operated in this country. In fact, Baroness H———, when examined, admitted that she would not be permitted to raise money in England or in France for her own profit, while it was easy to raise money here. In England an appeal from the decision of the registrar is allowed to the commissioner of charities, and under the provisions of the act requiring that a charity be administered by not less than three responsible persons, the possibility of unscrupulous persons soliciting and managing charities has been entirely eliminated.

In New York City on December 3, 1917, an ordinance passed by the board of aldermen became effective. This ordinance requires the manager of a bazaar or other charitable entertainment to obtain a license from the commissioner of licenses and to file with that official a bond to the effect that within 10 days after the entertainment the moneys raised and disbursed will be properly accounted for.

There is now pending before the United States Senate bill No. 4972, introduced by Senator ASHURST. While the presentation of this measure provided encouragement to the expectation that remedial legislation may be enacted by Congress, the bill itself is inadequate, and amplification and amendment are necessary before its operation can promise salutary results. For the effective and proper control of patriotic societies and war-relief organizations there should be Federal regulation and supervision under one of the principal departments of the Federal Government, either the Department of Justice, the Department of the Interior, or the Treasury Department; and such Federal regulation should be supplemented by State and municipal laws. Accordingly, three bills are in the course of preparation in the district attorney's office embodying such provisions as the investigation lately concluded suggests and intended to correct abuses and eliminate the evils revealed, respectively intended for national, State, and municipal enactment. Each of those measures is intended to cover a separate phase of the situation and, when taken together, to complement and supplement each other and thus comprehensively cover the field. For want of a better name the three bills may be referred to as "The charity triplets."

X. RECOMMENDATIONS.

The following recommendations are suggested by a survey of the conduct and results of the investigation:

(1) The management, control, and finances of war charities abroad to which American money was donated should be investigated to the end that culpability may be established and false suspicions dispelled.

(2) Legislation looking to the supervision and control of patriotic societies and war-relief organizations should be enacted by Congress providing for a bureau under the Department of the Interior, which shall have supervision and control over patriotic societies and war-relief organizations. The bureau so created should have the power to formulate rules and regulations for the conduct of its functions and suitable appropriation made for the prosecution of its work.

(a) No person or organization should be permitted to collect or receive funds or distribute mailable matter for patriotic societies or war relief activities except upon the issuance of a license.

(b) No license to be issued except upon the sworn statement of a responsible person or committee who is to be in charge of the conduct of the enterprise, this sworn statement to indicate the names of the organizers, the object of the organization, and the scope of its work.

(c) Each person or society receiving such a license should be required to file with the bureau a semiannual statement under oath giving the names and addresses of all members, the sums of money collected, names and addresses of the contributors, and the amount contributed by each, and an itemized statement of the disbursements made and the purposes thereof.

(d) Copies of all printed appeals for funds or cooperation should be filed within five days after such appeal is made.

(3) Legislation should be enacted in the State of New York embodying provisions similar to those in the Federal enactment covering war relief work.

(a) There should be created in the office of the secretary of state a bureau to supervise war-relief work activities in the State of New York.

(b) No person, committee, or organization engaged in war-relief work should be permitted to operate in the State of New York without first obtaining a license therefor.

(c) No license should be issued except upon the sworn statement of a responsible person or committee who is to be in charge of the conduct of the enterprise, this sworn statement to indicate the names and addresses of the organizers, the object of the organization, and the scope of its work.

(d) Each person or society receiving such a license should be required to file with the bureau a semiannual statement under oath giving the names and addresses of all members, the sums of money collected, names and addresses of the contributors, and the amount contributed by each, and an itemized statement of the disbursements made and the purposes thereof.

(e) Copies of all printed appeals for funds or cooperation issued in the State should be filed within five days after such appeal is made.

(f) The bureau to have the power to immediately revoke the license of any person, committee, or organization collecting funds through the agency of persons employed upon a commission basis, or where the operating expense, as revealed upon investigation or by the semiannual report, exceeds 30 per cent of the gross amount collected.

(g) The violations of any of the provisions of the law should be punishable by an appropriate penalty.

(4) An ordinance should be enacted in the city of New York prohibiting the soliciting of funds, the sale of buttons, tags, and merchandise on the streets, in public places, at public functions, and places of amusement for charity. Suitable exception in the proposed legislation should be provided to cover solicitations on behalf of strictly religious bodies.

The district attorney was greatly assisted in the conduct of the investigation by many interested citizens and officials, to whom he is indebted for many valuable suggestions.

Barry C. Smith, Esq., formerly secretary of the Charity Organization Society, and now director of the National Investigation Bureau, generously gave counsel and attention to the work, which, by reason of his experience and capacity in the field of charitable endeavor, was of especial value throughout the course of the work.

Detective Sergeant Grover Cleveland Brown and August Mayer, detailed by the police department to assist the district attorney throughout the investigation, cleverly ran down the various clues that were from time to time presented for investigation, and their services in securing the attendance of witnesses were invaluable.

Respectfully submitted.

EDWIN P. KILROE,
Assistant District Attorney.

Senate bill No. 4972, covering this subject, was introduced in the Senate by Senator ASHURST, and at the hearing before the Senate Military Committee Mr. Kilroe offered an amended bill as a substitute, for Mr. ASHURST suggested that we might incorporate such a bill for the assistance of the committee. The amended bill was drawn up by the Legislative Drafting Research Board of Columbia College, New York City, and this bill is the one that I now offer for your consideration.

It is true that the law already forbids the use of the mails for fraudulent purposes, but the law should be made more stringent, and should exclude all enterprises whereby an individual or private corporation may make use of same, simply by appearing under the name of some charitable organization, and through fraud and cunning gain the sympathy of the masses and make a selfish use of the moneys so willingly appropriated, and in many cases at a personal sacrifice, by a patriotic people to aid in binding up the wounds of our young heroes here and abroad. There is a crying need for Congress to enact appropriate legislation to encourage and aid those who unselfishly and with no thought of personal gain devote their time and energy to a cause so highly praiseworthy, so entirely humane, a service so vitally important to this and our allied countries—the work of coming to the aid of our wounded and dying heroes and giving them every comfort that the moneys so collected can obtain. On the other hand, this legislation should enforce the punishment of those who are so selfish and so unpatriotic as to prey upon sentiment and use for personal gain the money given out of largeness of heart and purpose—the purpose of the betterment and comfort of those who so willingly have given their all to the cause of democracy.

Mr. Speaker, as a resident of the city of New York, where millions of dollars were collected and swindled, and as the Representative of the Harlem and Heights section of that city, I should like to say that I am heartily in support of this measure. It might be wondered why legislation of this character would now be deemed necessary since the war is substantially concluded. It appears to me that the demand is as great now as during the progress of the war, for there is yet to be administered to our soldier boys much aid, their wants are increasing, and the morale of our Army both here and abroad will necessitate funds to keep it at a proper standard. The war may be over, but our work will not be until the sufferings caused by the war have been in a great measure alleviated and the people of our great country are entitled to the protection that the enactment of the bill in question would afford.

EXTENSION OF REMARKS

OF

HON. TOM CONNALLY,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. CONNALLY of Texas. Mr. Speaker, I desire to make clear my own individual position as regards the resolution of the gentleman from Illinois [Mr. MANN] now under consideration, which reads as follows:

House resolution to authorize the payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States.

Resolved, That the Sergeant at Arms and Clerk of the House of Representatives are hereby authorized and directed to immediately pay all arrears of salary and clerk allowance to Members of the House of Representatives of the Sixty-fifth Congress who have not received their monthly salary and allowance owing to their absence from the House while in the military service of the United States during the war: *Provided*, That there shall be deducted from such amounts for salary, respectively, any money received by any of the above-named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payment has been received by them.

While I do not assume to censor the conduct of any other Member of this House, I am anxious for the House to know that for myself I neither desire nor will I accept compensation as a Member of Congress while I was serving in the United States

Army. When I entered the Army I was willing to accept the reduced pay provided as compensation in the Army. Practically every soldier who joined the colors received less than he did in civil life, and I went no more consideration than was accorded to others in the service.

When I joined the Army I did not expect to be able to return to my seat until the Sixty-sixth Congress should convene. There was no expectation that the war could triumphantly end so soon, and I did not anticipate returning until after the Sixty-fifth Congress should come to an end. However, the sudden cessation of hostilities and the signing of the armistice caused Congress to pass a concurrent resolution directing the Clerk and Sergeant at Arms to place upon the roll all Members who had joined the military service upon their discharge from the service and their return to their seats. Shortly afterwards I was discharged and in conformity to the concurrent resolution returned to my place in this body.

Members of the House will recall that a few days ago the House adopted an amendment to the deficiency appropriation bill providing for the payment of specific amounts to Members who joined the Army as salary while they were absent from the House. The gentleman from New York [Mr. SANFORD], who prepared the amendment, exhibited it to me prior to its introduction, and at my request struck from the amendment the sum provided to pay my salary while I was in the military service.

The theory upon which the war was fought by the United States and upon which our military forces were raised was that there rested upon every citizen an equality of obligation to serve in time of war, and recognizing that obligation I will not claim a greater compensation than that provided for those similarly situated in the military service.

The League of Nations.

EXTENSION OF REMARKS
OF
HON. RICHARD W. AUSTIN,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. AUSTIN. Mr. Speaker, Thomas O. Marvin, of Boston, is one of the ablest political and economic writers in New England, if not in the United States, and it gives me pleasure to submit his views on the league of nations to the American Congress.

OUR COVENANT FOR AN ENDURING PEACE—AMERICA NEEDS NO WRITTEN CONTRACT TO HOLD IT TO HIGH IDEALS.

(By Thomas O. Marvin.)

On January 25, 1919, the plenary session of the Paris peace conference, having considered the proposals for the creation of a league of nations, resolved that "it is essential to the maintenance of the world settlement which the associated nations are now met to establish that a league of nations be created to promote international obligations and to provide safeguards against war." After laboring for three weeks over the proposition the commission reported on February 14 the draft of a covenant and constitution for a league of nations. The purpose of this covenant between the nations is "to promote international cooperation and to secure international peace and security." The methods by which this purpose is to be attained are:

1. The acceptance of obligations not to resort to war.
2. The prescription of open, just, and honorable relations between nations.
3. The firm establishment of the understandings of international law as the actual rule of conduct among governments.
4. The maintenance of justice and a scrupulous respect for all treaty obligations.

Assent to this covenant by the powers and their signature to the document pledge them to the adoption of the constitution of the league of nations.

It was with mingled sentiments that the draft of a constitution for the league of nations was received throughout the world. Everywhere it was recognized that the ideals involved in a league of nations are in accord with the hopes and aspirations of the world. For centuries men have longed for the day when wars should cease. In the days of Isaiah, the prophet dreamed of the time when "nation shall not lift up sword against nation; neither shall they learn war any more."

In the fourth century before Christ, 12 or more of the ancient cities of Greece formed themselves into the Achæan League for protection from the pirates of the Corinthian Gulf. Like the league now under consideration by the Paris conference the Achæan League had a council of delegates and a popular assembly. It had a secretariat; but also a cavalry commander and admiral. Each city-state that was a member of the league had 1 vote. Internal independence and self-government were retained, but all matters of foreign policy and war were controlled by the league. Power was lodged in the league to summon contingents for the federated army, to impose taxes, and to fine or coerce refractory members. The league was frequently engaged in war and succumbed to the Roman armies in the year 146 B. C.

Three hundred and sixty-six years before Christ the Romans built at the northwest end of the forum a Temple of Concord as evidence of the peaceful aspirations of the mightiest despotism of ancient times. Tiberius, who is reputed to have "reduced Germany almost to the position of a tributary Province," restored the Temple of Concord out of the spoils gained in Germany. And to-day we are once more endeavoring to build a Temple of Concord out of the wreck of the German Empire.

Thirty-one years before Christ was born Agrippa, rejoicing over the defeat of Antony at Actium, exclaimed, "The time of universal peace is near." And so through the centuries of ancient and modern times the dream of universal peace possessed the souls of soldiers and of statesmen.

In the tenth century, after the dismemberment of the empire of Charlemagne, the clergy attempted to institute the peace of the church, under which any form of private warfare was forbidden. Later came the peace of God or the truce of God, which prohibited every act of warfare during the larger part of each year. The means invoked to preserve the peace of the world were spiritual penalties, leagues of peace, and force. In the seventeenth century the truce of God was replaced by a truce of kings. Henry VIII of England and Francis I of France embraced on the Field of Cloth of Gold and vowed unending friendship and peace. Another "great design," credited to the British Prime Minister Sully, though he is reputed to have said that it originated with Queen Elizabeth, proposed the formation of a Christian republic directed by a general council of 60 delegates representing a European confederation of 15 States. In 1713 Saint-Pierre advanced a project for universal peace. Later this project was elaborated by Rousseau into a league of nations to be composed of 19 powers joined in a European republic. The nineteenth century found the dream of a league of nations still seething in the minds of men. In 1804 Czar Alexander I proposed plans of a general pacification and the formation of a league of nations with a new code of international law, sanctioned by the great nations of Europe, any infringement of which would bring upon the culprit the force of the new union. This suggestion of Alexander's led to the formation of the holy alliance, which, like all its predecessors, ended in failure. In its inception, as Prof. W. A. Phillips has said, it was colored by a lofty idealism, but it "ended by stinking in the nostrils of all lovers of liberty." In the latter part of the nineteenth century, while the Franco-Prussian War was raging, Ernest Renan revived the dream of a league of nations. "We shall see the end of war," he claimed, "only when to the principle of nationality is added the principle of a European federation superior to all nationalities." In 1897 Lord Salisbury said, "The federated action of Europe is our sole hope of escaping from the constant terror and the calamity of war." To-day the son of Lord Salisbury, Lord Robert Cecil, represents the British Empire on the commission which has reported to the peace conference a constitution for the league of nations. In 1898 a Russian Czar once more proposed an international conference for the purpose of making "the great idea of universal peace triumph over the elements of trouble and discord." Two international conferences resulted—The Hague peace conventions, one in 1899, at which 26 powers were represented, and another in 1909, attended by 44 powers, practically the entire world. At these conferences courts of arbitration were instituted, and the conference of 1907 agreed to "compulsory arbitration without any restriction" in the interpretation and application of international agreements. This conference, at which practically the entire world was represented, unanimously declared their "firm determination to cooperate in the maintenance of general peace."

Notwithstanding this firm determination to maintain peace, and in spite of the age-long struggle to banish war, the nations that participated in The Hague conventions were, within seven years, at each other's throats, and the most terrible war of all history raged for over four terrifying and devastating years. Have men and nations so changed within the last few years that we can count upon the successful establishment of a new order throughout the world? Have plans that have been tried again and again acquired some new and magical potency? Is the quest for eternal peace at last happily and triumphantly ended?

There is nothing in the proposed constitution of the league of nations to assure us of this gratifying consummation. In fact, the document itself affords evidence of the expectation of future wars in the very means that it sets up to punish a resort to arms.

And here is where the constitution of the league of nations has serious import for the United States. The program of the league is predicated upon the outbreak of future war, and prescribes the duties and the obligations of the members of the league in such an event. Like the Achæan league of the fourth century B. C., which levied contingents from its members for the federated army and possessed the power to coerce refractory members, and like the league of nations expounded by Rousseau in the eighteenth century, which provided for armed action to be taken jointly and at common expense, this new league stipulates that the disregarding of its covenants will be regarded as an act of war, and empowers the executive council in such cases to recommend what effective military or naval force the members of the league shall contribute to protect the covenants of the league.

In joining the league the United States becomes bound to equip and dispatch a military or a naval force at the summons of the executive council of the league, no matter how remote the seat of trouble or how foreign the dispute is to our people or to the interests of our Government. There are major problems that involve the peace of Europe and the security of nations that the United States can never look upon with unconcern, in the issue of which we can never again pretend to be neutral, and in the settlement of which we shall never again be too proud to fight. But we need no binding contract of league or covenant to hold us to this purpose. All we need is to prevent the reestablishment in power of another timorous and pacifist administration. The blood of Americans spilled so lavishly on the fields of France is our pledge and covenant. We have given more than our word—we have given the lives of our sons. We have written the compact with a flaming sword and sealed it with our blood. In face of that immortal and immutable fact, how puny is the program of the Wilson commission on a league of nations, how paltry the pledges and platitudes of their widely heralded constitution.

We drew the sword once when the liberties of the world were imperiled, and if civilization is ever endangered again we will draw it once more, and without waiting for nearly three years to do it. Next to the pitiful reflection upon the character of America by those years of doubt and waiting is this new urgency, by the man who delayed to act, that we pledge ourselves in advance to mix up in any trouble or embroilment that breaks out anywhere on the scarred and sodden surface of the globe.

There are myriad possibilities for trouble. All central Europe and much of Asia are seething with turmoil and unrest. If the help of America is needed, it will be freely given, but we have earned the right to ask Europe and Asia to adjust their troubles and put their houses in order. If we are to set up mandatories for the islands of the sea, let

us demand mandatories for the troublous continents of earth. The United States, Canada, Argentina, Brazil, and Chile would assume the responsibilities of mandatories for the American continents. We have done so ourselves to no inconsiderable extent by our Monroe doctrine. Let England, France, and Italy become mandatories for Europe. If they can not handle the job, then let them call on Uncle Sam.

So long as we retain the spirit of Chateau-Thierry, of Belleau Wood, and of the Argonne no power on earth will break loose in the madness of war without first taking into most serious and respectful consideration the possible action of the United States.

It is not a written covenant between various nations, it is not a constitution of a league of nations, that will guarantee the peace of the world. More potent far is the lesson of Germany's utter failure and the memory of what our boys did over there. The only security for the peace of the world is the power of the nations that believe in peace and that have demonstrated taat they can enforce it. No written compact can have the potency of a trained and disciplined army of liberty-loving men. No covenant of statesmen can offer the guaranty for peace that is afforded in the hundred millions of free citizens of America. This is what we should covet for the United States—the respect and honor of law-abiding nations and the fear of brigands who would disturb the peace of the world.

In this can we find the surest promise and covenant of enduring peace on earth.

A young wife asked a bachelor friend if he had ever thought seriously about marriage. "Certainly not," he replied; "no man thinks seriously about marriage until after it has happened." America must not wait to think seriously about the league of nations until after it has happened. Now, while the constitution of a league is under discussion by the peace conference, is the time to discuss it, to think seriously about it, and to consider the responsibilities and obligations which it imposes upon the United States.

"God grants liberty," said Daniel Webster, "only to those who love it and are always ready to guard and defend it. It is my living sentiment, and, by the blessing of God, it shall be my dying sentiment—independence now and independence forever," rang out his eloquent and patriotic challenge.

America, with all it stands for, has cost too much in struggle and sacrifice, in wounds and death and high endeavor, to surrender its power, its authority, or its sovereignty to any superstate. Untrammeled, unawed, and unafraid, America can best fulfill its destiny and best serve the world by following its own distinct lines of development, free from the entanglements of permanent alliances.

We should enter no league that will hamper in any way our economic development or exercise authority over our domestic or foreign trade. We should be no part of a league that can order the removal of economic barriers and place our industries and our workingmen in competition with nations whose cost of production is lower than ours. We have grown strong and prosperous by adhering for the most of our history to policies definitely designed to encourage and diversify our industries, and the results of this policy are written to-day in American triumphs in war and peace. Our victories were won not by our officers and soldiers alone but by the cooperation of our captains of industry and our workingmen. The German menace was destroyed by our factories and workshops as well as by our armies, and these factories and workshops were made possible by the protective policy advocated by George Washington and Alexander Hamilton.

Woodrow Wilson himself has said that "nobody now doubts that the policy of Hamilton put the Nation under a great stimulation, gave it the economic independence it needed, immensely quickened the development of its resources and the powers of its people." We need the wise and resolute application of that same patriotic policy to-day, and we should not consent to incorporation in any league that would retard the stimulation of American enterprise, that would exercise authority over the development of our resources, or that would impair or abridge our economic independence.

No compact should be signed with foreign nations that will diminish our authority over domestic affairs. No contract should be entered into which will permit the majority vote of any league to order our ships and soldiers into the bloody embroilment of foreign wars, in the issues of which American interests are not at stake. We should remain the masters of our destiny, the sovereign power over our own dominions, free to throw the might of the Nation into the scales of war when American rights are ruthlessly assailed, when justice is outraged, or the peace of the world is threatened. America has demonstrated that it can play an effective rôle as the peacemaker of the world. No nation and no group of nations will start anything for another century without taking into consideration what the United States will do. After our recent demonstration of America's power we do not need to enter a league of nations to make our voice heard or our influence felt.

Washington's advice is as potent now as it ever was. "It is our true policy," he declared, "to steer clear of permanent alliances with any portion of the foreign world." Temporary alliances for national purposes or to achieve some great object essential to the welfare of the world are not discountenanced nor prohibited, but we are warned against permanent alliances such as we are urged to-day to enter into. When a similar program was proposed in Daniel Webster's time he declared in a speech in the House of Representatives that "these doctrines are totally hostile to the fundamental principles of our Government."

Grover Cleveland, whose sturdy democracy was never questioned, said:

"The genius of our institutions, the needs of our people in their home life, and the attention which is demanded for the settlement and development of the resources of our vast territory dictate the scrupulous avoidance of any departure from that foreign policy commended by the history, the traditions, and the prosperity of our Republic. It is the policy of independence favored by our position and defended by our known love of justice and by our own power. It is the policy of peace suitable to our interests. It is the policy of Monroe and of Washington and Jefferson: 'Peace, commerce, and honest friendship with all nations; entangling alliances with none.'"

In a speech in Des Moines, Iowa, on February 1, 1916, Woodrow Wilson, who possibly had in mind the advice of Jefferson and Cleveland as well as Washington, said:

"There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before—seek entanglement in the controversies which have arisen on the other side of the water; abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world. I do not know what the standard of citizenship of these gentlemen may be. I only know that I for one can not subscribe to those sentiments."

And yet in a little over a year the author of these words stood at the Speaker's desk in the House of Representatives and declared that a state of war existed between Germany and the United States; and to-day he is preaching that we "abandon our habitual and traditional policy" and "deliberately engage" in the promotion of a league of nations.

"I do not know what the standard of citizenship of these gentlemen may be," but I do know that they are not the standards of Washington, Jefferson, Webster, or Cleveland, and, as President Wilson said only three years ago, "I only know that I for one can not subscribe to them."

Not long ago a chauffeur was brought into court after having run down a man. "Didn't you know that if you struck this pedestrian he would be seriously injured?" asked the judge. "Yes, sir," replied the chauffeur. "Then why didn't you zigzag your car and miss him?"

"He was zigzagging himself and outguessed me, your honor," was the answer. Modern statesmanship, as practiced by a distinguished exponent of the art, seems to consist of an elaborate system of zigzagging. There is truer Americanism, a finer patriotism, and better statesmanship in the toast proposed by Robert C. Winthrop at Faneuil Hall, July 4, 1845:

"Our country—however bounded or described—still our country, to be cherished in all our hearts, and to be defended by all our hands.

"The mystic chords of memory, stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land will ever renew our love of country, kindle our pride in its achievements, and inspire us with confidence in its destiny. To be an American; to fulfill to the utmost the obligations of American citizenship—what nobler task can we undertake; what higher service can we perform for the world? Since our flag was first flung to the breeze it has been to the world the emblem of liberty and the symbol of hope. America does not need to change to be of service to the world. All we need to do is to be true to ourselves, and by so doing will we best serve mankind.

"O flag of sacrifice and chivalry,
Never before so dear! Your holy red,
Dyed with the blood of hero friends; your white,
Clear like their vision; and your starry field,
Steadfast with life devotion! Not again,
I think, shall I look out upon the world
But through the folds of your eternal glory,
Flash your fair challenge still across my window,
Flag of my country."

River and Harbor Bill—Some Essentials for Enlarged Use of Channels for Water Transportation—Obstacles which Exist—Remedies Discussed.

SPEECH
OF
HON. JOHN H. SMALL,
OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 2, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13462) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Chairman, the committee presents the annual river and harbor bill. I use the word "annual" advisedly because there is no one of the appropriation bills where the necessity for an annual bill is greater than this for the maintenance and further improvement of rivers and harbors and the adoption of new projects. Since 1910 we have had an annual river and harbor bill for each recurring fiscal year. There is no budget, if it may be so termed, presented for any of the activities of the Government which is examined more carefully and which is presented to the House with stronger evidence, more complete in every respect, than are the estimates submitted for the maintenance and further improvement of rivers and harbors. As is well known, the country is divided into engineering districts of which usually an Army engineer is in charge. He submits estimates for all improvements within his district. Those estimates are forwarded to the Chief of Engineers, and in his office are carefully considered and frequently pruned before they are presented to the Congress and later for the consideration of the committee, and in the consideration of those estimates by the committee the Chief of Engineers or his representative is present to testify and be examined by members of the committee regarding each recommendation for an appropriation to be included in the bill, and in this bill the committee gave careful consideration to every item. A representative of the Chief of Engineers, familiar with all the official reports and the conditions of improvement throughout the country, was present to testify and to fortify the recommendations which have been made. When the committee came to the consideration of this bill, they were confronted primarily by the query as to what should be their policy. The last two river and harbor bills were reported and enacted by Congress during the stress of war. The appropriations for maintenance and further improvement were reduced to the lowest limit; to use a familiar expression, they were "cut to the bone."

In some instances the estimates were insufficient for the maintenance of projects. As to new projects, in the last two river and harbor bills only such new projects were included as were intimately associated with the prosecution of the war. In the determination of that condition investigation was had by the Secretary of War, by the Chief of Engineers, and carefully considered by the committee, and in each of the last two bills therefore new projects were reduced to a minimum. In endeavoring to arrive at a conclusion which should be wise and just to the country as to the policy to be followed in the formulation of this bill the chairman and other members of the committee consulted the President of the United States, the Secretary of War, the Chief of Engineers, and many Members of the House, and the final conclusion was that the bill should carry appropriations for maintenance sufficient to maintain all completed channels throughout the country; that as to projects which had been theretofore adopted and not completed the bill should carry appropriations for every improvement in such amount as could be wisely and economically expended to the end of the next fiscal year. The committee were then confronted with the policy as to new projects, and after very careful deliberation it was finally decided that we should adopt such new projects as were meritorious and urgent, and as a result the committee have selected some new projects which are included in the bill. The chairman of the committee believes that he can state in all frankness that there is no new project in the bill which can not be justified in the public interest. This is not a bill formulated by the chairman of the committee; it is a bill formulated by the committee itself. I would be uncandid if I stated that the committee were unanimous in every respect regarding every appropriation or every new project in the bill. Fair, intelligent men, desirous of discharging their public duty, will disagree as to details, but every item in the bill providing for a new project received the approval of the committee, and they are ready at the proper time to justify their judgment and to ask the approval of the House. It is my purpose to occupy only a brief time in discussing the items in the bill. I desire to discuss some of the general phases of harbors and waterways that are connected with the transportation and commerce of the country. I suggest that Members who may have inquiries to make regarding particular projects defer those inquiries until we take up the bill for reading under the five-minute rule.

Water transportation is one of the essential instrumentalities of the transportation system in our country. We have the highways, the railways, and the waterways, which substantially constitute the trinity. Is there anyone who will question the proposition that waterways are a very essential element in our transportation system? I think not. Even during recent years, when river and harbor bills have been under criticism, the criticism was not directed to the basic proposition that they were essential in our system of transportation, but to the alleged fact that the river and harbor bills contained appropriations for some improvements which could not be justified in the public interest.

The purpose of river and harbor legislation in the improvement of rivers and harbors is to afford additional facilities for transportation, and I will state frankly that no appropriation for an improvement which is not used or will be used for purposes of transportation can be justified as an appropriation of the public revenue. We ought to remember, with regard to our waterways, particularly interior waterways, that providing channels alone does not make for transportation upon those channels. That is a vital mistake which many advocates of water improvement in the past have made. They have vigorously contended that improvements be adopted by Congress and appropriations made therefor, and have too often forgotten to stress the question of whether those channels would be used after they were improved, and the criticism of river and harbor bills in the past, wherever justified, has been based upon the neglect to weigh properly the question of whether the improved channels would be used after they were once improved. There are some essentials which are necessary upon which to predicate the use of improved channels. Of course, everyone will agree that in the first place there must be a demand for the movement of traffic and of such traffic as would ordinarily seek waterways by preference. Having satisfied ourselves that the demand for the movement of traffic exists, it will next be agreed that we ought to have boat lines; that transportation corporations should be organized, properly equipped with ample capital, and with officials acquainted with the needs of transportation for their management.

Often on some of our interior waterways the kind of boats which have been in use have been uneconomical, have been unfitted for the particular service in which they were engaged, and therefore did not sufficiently attract traffic, nor could they be operated with profit.

Another essential for the proper development of waterway transportation is the interchange of traffic between boat lines and rail lines. Unless this can be effected the commerce upon waterways will continue to be local—that is to say, originating at one point upon the river and destined for another point thereon. There ought to be an interchange of traffic and a prorating of freight rates, so that traffic may be initiated upon a railroad, thence go to the nearest point upon the waterway, and thence be transported by water to its destination, or, vice versa, be initiated upon the water lines and thence transferred to the railroad.

What have been the chief elements in the upbuilding of our great system of rail transportation? It has been brought about by their standardization, standardization of the width of rails, the standardizing of cars, so that any freight car or any passenger car upon any railroad in the country can be moved upon any other railroad in the country. And in addition the railroads have established as between themselves a system of prorating. Without this standardization of equipment, without this system of prorating of traffic, this great system of movement by rail, the greatest in any country in the world, could not have been established upon our railroads in the United States.

Neither can we develop water transportation unless the same facilities are extended to water lines as are extended between different lines of railroads.

There is another essential. We must have water terminals. At every town and city, even at every landing along an interior waterway, there must be some sort of terminal adequate to the needs of the traffic involved in order to promote water transportation. Everyone is familiar with the relation of rail terminals to the proper use of railroads, and water terminals are just as, if not more, essential to the proper development of water transportation than are rail terminals for the railroads.

We submitted an inquiry just before the last bill was presented to the House as to the status of publicly owned terminals upon the great Ohio River. While I can not say that the report was a surprise, at least to some members of the committee, yet it did surprise the country to learn that upon that great river, upon which we have expended millions of dollars and will expend millions more, there was not a single adequate public terminal constructed, owned, and managed by municipalities or other public agencies in the interest of the public. I shall refer directly to a later report from the Chief of Engineers, submitted by direction of a provision in the last river and harbor act, upon the Ohio River.

May I, at the expense of repetition, describe briefly some of the essentials of a water terminal? There must, of course, be ample area in water front. There must be a capacious warehouse suited to the business. That terminal must be physically connected by a belt-line railroad with all the railroads serving the community. It should be equipped with modern appliances for the transfer of traffic between the boats and the warehouse or the rail car, respectively.

Without such a terminal, even local traffic loaded upon the boat at the point of origin and unloaded from the boat at the point of destination can not be economically prosecuted. And as to an interchange of traffic with the railroads, it will be apparent that there can be none unless we have such terminal connected with all the railroads serving the community. And where there are no railroads there should be good highways constructed and radiating out into all the area from which traffic may be expected to move by water, and these highways are absolutely essential for the proper conduct of water transportation.

I would like now to refer briefly to some of the obstacles which have existed in the past, and to some extent in the present, to the development of water transportation. In the early days, when railroads were constructed parallel to interior rivers, they deemed themselves competitors of the waterways, and in many instances they reduced freight rates for the purpose not of competing with but of making unprofitable the operation of boat lines. In other instances, either alone or in addition to the other activities on their part, they bought existing boat lines and managed them in such a way that traffic would not be attracted; that they would be operated unprofitably; and ultimately sold the boat lines, so that the river was deprived of the facilities of transportation.

In the Panama Canal act of 1912 Congress thought it had provided a remedy for that evil. In that act is a provision forbidding any railroad which had reduced its rates competitive with water lines to advance those rates except with the consent of the Interstate Commerce Commission.

Mr. ESCH. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. ESCH. That is in the original act. It was not inserted in the Panama Canal act. It was in existence prior to that act.

Mr. SMALL. I was under a different impression, but the gentleman is so familiar with that that I yield to his superior information on the subject. At any rate, it is the law.

Mr. ESCH. That is right.

Mr. SMALL. We thought we had provided a remedy for this evil, but, unfortunately, the results have not justified the expectations. To such an extent, in my opinion, have the expectations failed to materialize, that it has seemed to me that the railroads, for the purpose, in their opinion, of monopolizing traffic competitive with the waterways, have been content to maintain those reduced rates and the original evil has found no remedy.

Another obstacle has been found in the indisposition of many of the managers of railroads to interchange traffic with the water lines. I would like to give you an illustration of that. As I said, the last river and harbor act contained a provision directing the Chief of Engineers to investigate terminals upon the Ohio River between Pittsburgh and Cairo.

I have a proof copy of the report, which will soon be available to the Members of the House; and, by the way, I wish to commend the reading of this report to those gentlemen who desire information upon the question of waterway transportation and suggestions as to its betterment. It is known as House Document 1521, Sixty-fifth Congress, third session. It contains the report of the Chief of Engineers, and also quite an able report by Col. Lansing H. Beach, division engineer at Cincinnati, Ohio. The last river and harbor act directed an investigation as to the status of water terminals at cities and towns along the Ohio River between Pittsburgh and Cairo, and whether the same are satisfactory as to location, construction, and equipment. There is a table here, containing a number of exhibits giving information as to the status of the terminals along the Ohio River, which is most instructive. Table No. 1 gives the names of cities and towns where an interchange of traffic exists between water transportation lines and the railroads. Table No. 2 gives a list of water transportation lines existing and proposed on the Ohio River, with a description of the number and type of boats in operation and under construction or to be constructed, and as to whether the same are appropriate and suitable for the traffic. Table No. 3 gives the rail rates on coal from and through Cincinnati. Table No. 4 quotes the freight rates applying on coal produced in the Kanawha district, West Virginia. Table No. 5 gives the names of coal elevators at present and formerly located on the Ohio side of the Ohio River.

The committee selected the Ohio River because it is one of the important interior rivers. On it are located many important cities like Pittsburgh, Louisville, Cincinnati, and other cities and towns. Congress has adopted a project for the improvement of that river by a system of locks and dams at an aggregate cost of more than $60,000,000, and the work is now in process of construction.

If we can not develop water transportation upon the Ohio River consistent with the traffic to be moved and the facilities offered, there are certainly very few rivers in the United States where it can be so promoted and effected.

I would like to call your attention to just a few extracts from this report as to the Ohio River regarding terminals. I read:

> Through bills of lading, as far as can be ascertained, are not issued by any water transportation line on the Ohio River or by any railroad reaching the banks of that stream on freight to be carried by both water and rail.

Upon that great river, with the number of existing water lines, in the face of the proposition which I believe will be conceded by everyone that interchange of traffic between railroads and water lines is absolutely essential for any healthy water transportation, there is absolutely no interchange of traffic between any water transportation line on the Ohio River and any railroad intersecting any of the cities and towns along that great stretch of river. That fact ought to be impressive, and if this is one of the essentials, then it follows either that existing law is not observed or that adequate laws have not been enacted.

Mr. ESCH and Mr. GARD rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. SMALL. I yield to the gentleman from Wisconsin.

Mr. ESCH. I understand that the Director General has ordered through rates—rail and water—on the traffic on the lower Mississippi River, and has also directed that this traffic should move with through bills of lading, due to the fact that they have now established a suitable line of boats. Is there such a line of boats on the Ohio River? If there is not, that may account for the fact that there are no bills of lading and no through joint rates.

Mr. SMALL. There are a number of boat lines, not in all respects adequate nor of the number which certainly will be required when the improvement of the river is completed. But the difficulty does not lie in the absence of boat lines.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. GARD. Does the gentleman intend to give us the benefit of his suggestions about the interchange of traffic on the Ohio River with reference to more complete use and benefit?

Mr. SMALL. In a moment, I do.

Now, calling attention further to this interchange of traffic on page 5, under the subheading (e), "Any recommendation for the development of transportation on such river," I read:

> There are two or three features connected with the development of transportation on the Ohio River which, it is believed, should receive careful consideration by the proper authorities before it will be possible to secure navigation on any river to the extent which the capacity of our waterways and the expenditures already made by Congress justify but which can be confidently expected if obstacles willfully thrown in the way of such traffic can be removed.
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> The Pittsburgh & Cincinnati Packet Co., operating a line of packet boats on the Ohio River between Pittsburgh and Cincinnati, was a most flourishing organization, doing an extensive business, until the Interstate Commerce Commission some years ago issued directions that the railroads should not prorate with the steamboat lines. The company practically went out of business in one day as a result of this order.

And may I, just at this moment, stop to call attention to the fact that here is a demonstration of the truth of the proposition that interchange of traffic between boat lines and the railroads is essential to the maintenance of a healthy water transportation? Continuing the reading from the report.

> It is understood that this order was issued by the Interstate Commerce Commission for the reason that it did not have supervision over water carriers, and by inserting a water route on the line of freight movement the railroads were enabled to avoid interstate commerce rulings. That condition has now disappeared, for by the Panama Canal act that body is given supervision over water carriers in the same manner and to the same extent that it has supervision over the railroads. Unfortunately this provision is permissive and not mandatory, and the Interstate Commerce Commission has not as yet exercised its power over the water carriers. It is believed that the supervision and regulation should be mandatory. It should also have authority to prescribe minimum rates on water as well as the maximum rates. The necessity for this is due to the fact that in case railroads have established steamboat lines or acquired control over existing lines and then placed such low charges for handling of freight that other boats were driven from the river, when the railroad-controlled boats would then be withdrawn or operated in such manner as to prevent freight movement by water. Steamboat owners themselves have also indulged in the same practices. Were the steamboats prevented from adopting too low a rate, this method of interference with navigation would be avoided.
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> 15. The railroads and water carriers should be required to issue through bills of lading, good by both kinds of carriers, and under proper terms for prorating. The result of present conditions is that the boats are practically able to handle only local freight, and that through freight can not frequently be shipped by the route which would be most economical and advantageous. An instance of this is the distribution of coal from Cincinnati.

And I call the attention of the House to this statement in the report, which I will now read:

> That city was formerly a large distributing point for coal brought to it by water, but upon the completion of the Chesapeake & Ohio Railroad to that point from the West Virginia coal fields, rates from Cincinnati were so advanced that river coal was to a large extent deprived of the territory which it formerly enjoyed. The matter has been consistently pursued by the railroads and every opportunity taken to advance rail rates on coal coming from the river, until the distribution of coal from Cincinnati is now almost prevented. Table No. 3 gives the rates which existed on coal from Cincinnati to various points before the completion of the Chesapeake & Ohio Railroad, the advance on river coal which followed immediately upon the completion of that railroad, and the all-rail rates, showing that the rates on river coal are much heavier proportionately than the all-rail rates. A concrete instance or two make this plain. Recently the through rate on coal from either the Logan fields or the Kanawha district to Toledo, Ohio, was $1.55 per ton.

That is the all-through rate.

> Of this amount it is understood that the Cincinnati, Hamilton & Dayton Railroad received 67.2 cents per ton. The rate on river coal from Cincinnati to Toledo is, however, $1.50 per ton. The rate on coal from the Jellico field on the Louisville & Nashville Railroad through Cincinnati to Indianapolis, Ind., was $1.55 per ton, and of this amount the Chicago, Cincinnati, Cleveland & St. Louis Railway received $0.50 per ton for its haul from Cincinnati to destination. The rate from Cincinnati to Indianapolis on coal coming from the river was $0.60 per ton.

And then this report refers to General Order No. 28 of the Railroad Administration, providing for an increase in freight rates. It states that in making these increases the rates were disproportionately advanced on river coal from Cincinnati compared with all-rail coal from the mine fields to the same locality.

The gentleman from Ohio [Mr. GARD] asked what is the remedy for this condition. We must look upon water transportation as an essential and integral factor in our system of transportation. It must have the protection of law and the force of public sentiment behind it. No one doubts that we need these additional facilities. That fact has been acutely emphasized during this war, and upon a number of occasions in times of peace, and it will be again emphasized in the future.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. LONGWORTH. Before the gentleman leaves the Ohio River question, I observe that there is no direct appropriation carried in this bill. Will the gentleman explain the reason for that?

Mr. SMALL. The reason is that there is nearly $10,000,000 on hand and available, which the Chief of Engineers reported represented all that could be profitably expended until the end of the next fiscal year on that improvement. If the present estimate is revised and an appropriation recommended, it can be inserted as an amendment by the Senate. Further investigation is now in progress.

Mr. LONGWORTH. So that the failure to appropriate in this bill will cause no delay whatever in the construction of the locks and dams?

Mr. SMALL. None whatever.

Mr. LONGWORTH. I want to make it clear that the fact that there is no appropriation carried in this bill does not by any means imply that that project is going to be slighted or that there will be less speed in its completion.

Mr. SMALL. The gentleman is correct. That is the attitude of the committee, and so far as I know it is the attitude of Congress.

May I say with regard to the Ohio River that at the instance of the Committee on Rivers and Harbors correspondence has been had during the past year with the mayors of all the cities and principal towns, and the presidents and secretaries of all commercial organizations, in which representations were made that local cooperation must be had in providing steamboat lines, in the construction of adequate water terminals, and in making applications for intetchange of traffic between the boat lines and the railroads. It is gratifying to state that very substantial and encouraging responses have been made to the appeals contained in this correspondence, and in many of the cities and towns along the river active steps are in progress in the making of plans for terminals and in the consideration of the construction of additional boats; and if this fine civic spirit continues it is believed that by the time the improvement of the river is completed to Cincinnati, which should be effected certainly within two years if not earlier—and the entire improvement completed within several years thereafter—there will be sufficient boat lines and adequate terminals at all of the principal towns and cities along the river. It is most gratifying to make that statement. There is much to be done and much need for the continuance of this civic activity, but certainly a most auspicious beginning has been made.

Mr. BARKLEY. Will the gentleman yield?

Mr. SMALL. I take pleasure in yielding to the gentleman from Kentucky.

Mr. BARKLEY. Since the adoption of this project in 1910 each appropriation bill has carried an item for the river, this year being the first year when the appropriation has been omitted. I should like to have the gentleman make it clear that this is not to be regarded as a precedent for the future by the Committee on Rivers and Harbors or by Congress in dealing with the Ohio River.

Mr. SMALL. In answer to the gentleman I can state that so far as I am aware—and I think I express the sentiments of the committee—there is no intention to abandon or to lessen the annual appropriation for the improvement of the Ohio River. And further, as explaining why there is no appropriation in this bill, I will say that during the progress of the war it has been impossible to secure contracts for the construction work upon the Ohio River. Contractors who entered into their contracts prior to our entry into the war have lost large sums of money. I am informed that some of them have become bankrupt. In the last river and harbor bill there was a provision authorizing the Secretary of War to consider and to do justice to these contractors by readjusting their contract prices wherever it seemed necessary, in order to avoid the perpetration of flagrant injustice; but unfortunately that was only effective from the date of the approval of the bill. I thought then that if we were going to do exact justice we ought to make this principle retroactive and applicable to all contracts entered into from the time we entered the war; because those contractors who were more honest and diligent proceeded more rapidly with their contracts, and they have been penalized to that extent by the great losses which they have suffered.

Mr. BARKLEY. Will the gentleman yield further?

Mr. SMALL. Certainly.

Mr. BARKLEY. I appreciate that at the time the estimates were sent in by the Chief of Engineers of the War Department, upon which this bill was framed, the country was at war, and it was not reasonably contemplated that more than the $9,000,000 on hand could be expended on the Ohio River during the coming fiscal year. But since the estimates were sent in by the War Department, the war has ended, and in view of the fact that many engineers and experts in the War Department and in the Army are to return soon to the United States, where their services ought to be available for public improvements, does not the gentleman think it is possible that the amount of money now available for the work on the Ohio River will not be sufficient to carry on the work during the coming fiscal year; and even if it is, does not the gentleman think there ought to be certainly available an amount sufficient to enable the Government to take advantage of the expert knowledge and experience of these engineers who are soon to return to the United States by their employment in the construction of these locks and dams?

Mr. SMALL. I will say in response to the gentleman that he will find in the hearings regarding appropriations in the bill that Gen. Taylor, assistant to the Chief of Engineers on river and harbor matters, was questioned fully regarding the needs of the Ohio River, and his final conclusion was that the amount on hand was all that could properly be expended in the next fiscal year. But, as before stated, this phase is being reinvestigated.

Mr. BARKLEY. And did he not state further that he was making investigation, in view of the new conditions developed, with a view of recommending an increased amount if he found it necessary?

Mr. SMALL. If he makes any such recommendation before the bill passes the House, the committee will be called together, and I have not the slightest doubt but that the committee will authorize the chairman to offer a committee amendment, or the amendment can be made by the other body.

Mr. DIXON. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. DIXON. The action of the committee was based entirely on the recommendations of the engineer?

Mr. SMALL. Entirely; there is not an appropriation in the bill which was not recommended by the Chief of Engineers.

Mr. DIXON. And the engineer said that the amount available was ample to cover all that could be used for the coming year.

Mr. SMALL. The gentleman is correct.

Mr. WALSH. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. WALSH. In the river and harbor act of 1917 there is a section authorizing a waterways commission to be appointed to furnish information to Congress. Has the committee received the benefit of any information or report from that waterways commission?

Mr. SMALL. The commission has not been appointed. The committee has no information as to the intention of the President in this respect. If the gentleman from Massachusetts thinks that it ought to be appointed earlier than seems now apparent, and that the commission is in the public interest, and he should request it, the chairman might go with him to the President and request early action.

Mr. WALSH. I would like to ask the gentleman, however, if he knows what influence there is, or the reason why this commission has not yet been appointed?

Mr. SMALL. The only information I have is that during the early part of last summer or spring, at the instance of some Members, I asked the President when he intended to appoint the commission, and he replied substantially that there seemed to be no necessity for haste during the pendency of the war.

Mr. WALSH. I suppose the gentleman will agree that the various topics which he has discussed in his very illuminating address might well receive the consideration of a body such as Congress provided for in that act, and particularly with respect to coordinating State and municipal activities. Does not the gentleman think that many of these engineers will be relieved from war activities so that they might find sufficient personnel to provide for that commission?

Mr. SMALL. Doubtless a commission will be appointed, but when it will be appointed I have no information. The gentleman is correct that the commission authorized in the river and harbor act of 1917 will consider these questions to which the gentleman has referred.

Mr. WALSH. From information the gentleman has received from the Executive, he is sure that Congress has not done a vain thing in providing for the appointment of such a commission?

Mr. SMALL. I doubt if either the gentleman or myself feels any undue enthusiasm over the appointment of the commission or over its prospective report.

Mr. FESS. Will the gentleman yield for a question?

Mr. SMALL. I will.

Mr. FESS. Reverting to the cooperative plan which the gentleman mentioned a moment ago, is that official or purely voluntary?

Mr. SMALL. If the gentleman refers to local cooperation by providing a part of the cost of the improvement, I may say that sometimes it is voluntary and sometimes attached as a condition of the appropriation. On the Pacific coast they have the finest cooperative spirit of any section of the country. On the Pacific coast in some of their improvements they voluntarily cooperate.

Mr. FESS. It is likely that the Government will inaugurate a policy of making coopcrative conditions?

Mr. SMALL. This matter of cooperation involves many difficulties. I doubt very much if any arbitrary rule for local cooperation could be established. I am inclined to the opinion that local cooperation must depend on the conditions surrounding every improvement. There are some public improvements where in the opinion of the Chief of Engineers, always concurred in by the committee, local cooperation is advisable and sometimes essential. In others it is apparent that the improvement is in the public interest, but if local cooperation is required it will virtually prevent the improvement.

Mr. FESS. Does local cooperation ever extend to State cooperation?

Mr. SMALL. Sometimes, but ordinarily not. Ordinarily the local cooperation is confined to municipalities, and sometimes to counties.

Mr. FESS. Does the chairman of the committee see insuperable obstacles to making State cooperation a condition for Federal appropriation for rivers and harbors?

Mr. SMALL. I do believe that the difficulties of securing any general plan of State cooperation are very great and substantially impracticable.

Mr. FESS. I will say to the gentleman that I have had some trepidation, as the gentleman knows, in voting for some of these appropriations, but I have thought that if there could be worked out a system of State cooperation between the States and the Federal Government much of that opposition to the appropriations would be eliminated. I am not sure whether it is totally insuperable or whether it is practicable.

Mr. SMALL. I am afraid that it is not practicable. As an illustration, in the gentleman's own State there has been agitated for some years a waterway, partly artificial, connecting Lake Erie and the Ohio River. Personally I believe the improvement will sometime in the future be made.

Mr. FESS. That is along the river bed of the Beaver River?

Mr. SMALL. In part. The proposed route has never been definitely established, so we might refer to it as connecting the Ohio River with Lake Erie. It would connect the Great Lakes with the Ohio River, near which is the greatest coke and steel producing region in the United States, a comparatively dense population, a large volume of traffic, both raw material and finished production to be moved, and it would seem that the project would sometime in the future get favorable consideration. Yet it is generally conceded that it is a project where local cooperation ought to exist, and the gentleman will find in his own State in sections remote from the territory contiguous to this proposed waterway quite serious opposition to any cooperation. I mention that as an illustration of one of the difficulties of getting State cooperation. Unfortunately in appropriations and the issuing of bonds by States we do not think as State units, but we think rather as sectional units of the same State.

In conclusion I wish to make a brief expression regarding some of the remedies for these conditions which exist as obstacles to water transportation. Col. Lansing H. Beach, who is a very able engineer and who is very familiar with conditions on the Ohio River and other interior rivers in the Mississippi Valley, makes these recommendations in his report:

1. That the Interstate Commerce Commission be required to exercise the same supervision over movement by water carriers as it now does by rail.
2. That the Interstate Commerce Commission be authorized to fix a minimum rate for movement of freight by water as well as a maximum rate.
3. That all common carriers, whether operating by water or by rail, be required to issue through bills of lading and prorate on such terms as the Interstate Commerce Commission or other established authority may prescribe as just and equitable.

Without having given those recommendations as careful study as they deserve, I am inclined to the opinion that they represent, in the main, wise thoughts upon the subject. A great many, if not most, of the men engaged in water transportation throughout the United States are opposed to any governmental supervision. They think they ought to operate as free lances, charging as low rates as they choose, consistent with the cost of movement, and advancing them whenever the conditions of traffic justify. It seems to me the time has come, however, when we must stabilize and standardize the movement of traffic by water just as we have endeavored to do by rail, and this is particularly true as to water transportation lines upon navigable rivers, where there is an interchange of traffic between the railroads and the waterways. In any event I believe Congress should at the earliest possible time amend the existing law authorizing the Interstate Commerce Commission to provide for interchange of traffic and to fix a prorating between boat lines and railroads, so that, instead of being permissive, it shall be mandatory, and so that such an anomalous and unjustifiable and inexcusable condition as now exists upon the Ohio River, where there is absolutely no interchange of traffic between any railroad or boat lines, shall be relegated to the past. I am sure that this suggestion is a wise one and ought to have the attention of Congress.

I submit one other suggestion: We have a Department of Commerce. That department has virtually no official jurisdiction over the movement of commerce by water or by rail.

Our Army engineers are equipped, and there is no higher authority for making investigations regarding the improvement of harbors and all interior waterways and reporting as to their feasibility and desirability from an engineering viewpoint, and for making estimates of the cost of the same. It is rather beyond the scope of their training, however, that they should pass upon the commercial necessity of their improvement. I think perhaps that we might well create in the Department of Commerce a bureau with limited jurisdiction over the movement of freight by water, not to interfere with any existing or prospective jurisdiction of the Interstate Commerce Commission. Let me illustrate: Take the Ohio River, about which so much has been said. If we had in the Department of Commerce a bureau of public works, or under any other appropriate name, that bureau could be in communication with every city and town along the Ohio River. They could send their experts and make recommendations as to the appropriate location for the water terminal and plans for same of such type as would be adequate to the traffic needs of that city and town. They could consult with the local authorities respecting the construction and operation of boat lines, the interchange of traffic, and all of the other essentials necessary for a healthy water transportation.

All that Congress can do is to provide the improved channel in the harbor and in the interior river. At this time, so far as we can forecast the future, the providing of boat lines, the construction of terminals, the taking of steps for the interchange of traffic, the doing of all things that are essential for the full use of the improved channel must devolve upon the localities and cities, but local cooperation could be expedited and promoted by such a bureau in the Department of Commerce.

I hope at an early date to introduce a bill making it mandatory on the Interstate Commerce Commission to provide for an interchange of traffic, to enforce a system of prorating, and all the other things necessary for an interchange of traffic between boat lines and rail lines, such as now exist between the different rail lines of the country, and also create in the Department of Commerce some bureau which shall have jurisdiction of the things that are essential for the development of water transportation. [Applause.]

EXTENSION OF REMARKS

OF

HON. HENRY A. CLARK,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 31, 1919.

On the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and for other purposes.

Mr. CLARK of Pennsylvania. Mr. Speaker, the House Committee on Agriculture is composed of 21 members from 19 different States and the Delegate from Hawaii; Illinois has three representatives and each of the other States, included in which is Pennsylvania, has one. This is a large committee, and the agricultural interests of the entire country were in their hands, and in large measure what appropriations were deemed to be needed on many subjects were determined primarily by them.

The committee devoted a great deal of time to the consideration of the estimates submitted and the statements made, with the result that a bill was reported consisting of 97 pages. A résumé of its contents may be of interest. I will not attempt

to give every item in detail, but present some of the headings and amounts recommended, and they are as follows:

Salaries, office of the Secretary of Agriculture	$501,020
Salaries, office of Farm Management	86,930
General expenses	218,160
Total for office of the Secretary of Agriculture	806,110
Salaries of the Weather Bureau	342,890
General expenses of the Weather Bureau	109,250
Printing office in Washington	12,800
For investigating meteorology, climatology, etc	1,304,230
This includes a sum for salaries not exceeding	672,500
For special observations	129,040
For telegraphing and telephoning	295,750
Official traveling expenses	26,000
Establishment of aerological stations and investigations in aid of aeronautics	85,040
In all for general expenses	1,537,320
Total for Weather Bureau	1,880,210
Salaries, Bureau of Animal Industry	553,150
General expenses, Bureau of Animal Industry	495,282
Investigating tuberculosis of animals, etc	993,520
Eradication of southern cattle ticks	741,980
Experiments in dairy industry, etc	350,370
Relating to animal husbandry, etc	307,680
Investigation of diseases of animals and maintenance of experiment station at Bethesda, Md	124,560
Investigating hog cholera	641,045
Eradication of dourine	88,800
Administrative work and expenses	26,686
In all for general expenses	3,769,923
Meat inspection	803,960
Total for Bureau of Animal Industry	5,127,033
Salaries, Bureau of Plant Industry	491,200
General expenses, covering many subjects, such as diseases of plant, orchard, citrus tree, forest and ornamental trees; eradication of white-pine blister rust; diseases of cotton, potatoes, etc.; investigation of crop plants, soil bacteriology, soil fertility, acclimatization of cotton and corn crop, etc.; cereal productions; tobacco, fibrous plants, horticultural investigations; rare seeds; and other subjects. In all, for general expenses	2,401,138
Purchase and distribution of seeds, etc	358,980
Total for Bureau of Plant Industry	3,251,398
Salaries, Forest Service	2,485,660
General expenses, Forest Service	3,481,209
Total for Forest Service	5,966,869
Salaries, Bureau of Chemistry	411,670
General expenses, Bureau of Chemistry	969,901
Total for Bureau of Chemistry	1,381,571
Salaries, Bureau of Soils	74,160
General expenses, Bureau of Soils	417,075
Total for Bureau of Soils	491,235
Salaries, Bureau of Entomology	124,010
General expenses, Bureau of Entomology	603,300
Preventing spread of moths	304,050
Total for Bureau of Entomology	1,031,360
Salaries, Bureau of Biological Survey	55,970
General expenses, Bureau of Biological Survey	606,200
Total for Bureau of Biological Survey	662,170
Salaries, Division of Accounts and Disbursements	44,620
Salaries, Division of Publications	195,620
General expenses, Division of Publications	44,070
Total for Division of Publications	239,690
Salaries, Bureau of Crop Estimates	129,060
General expenses, Bureau of Crop Estimates	242,042
Total for Bureau of Crop Estimates	371,102
Salaries for library, Department of Agriculture	32,160
General expenses of library, Department of Agriculture	18,000
Total for library, Department of Agriculture	50,160
Miscellaneous expenses	442,500
Rent in District of Columbia	158,689
Salaries, States Relations Service	203,840
Allowances were made for several subjects not mentioned here, aggregating in all for general expenses	4,501,980
Total for States Relations Service	4,705,820
General expenses, States Relations Service	720,000
Administration of experiment stations in Alaska, Hawaii, Porto Rico, Guam, and Virgin Islands	69,600
Farmers' cooperative demonstration work outside of the cotton belt	551,280
Farmers' cooperative demonstration and investigating ravages of cotton-boll weevil	645,040
Cooperative agricultural extension work	1,500,000
Reporting progress of farmers' institutes, etc	$20,600
Salaries, Bureau of Public Roads	113,640
General expenses, Bureau of Public Roads	
Inquiries as to systems of road management	38,240
Investigating best methods of road making	138,220
Investigating chemical and physical character of road materials	47,020
Investigating road construction, etc	60,000
Investigating irrigation for farms, etc	82,440
Investigating farm drainage	73,760
Investigating farm domestic water supply	25,000
Administrative expenses	16,000
In all for general expenses	480,680
Total for Bureau of Public Roads	594,320
Salaries, Bureau of Markets	671,810
General expenses of Bureau of Markets in which is included distribution, collecting, information on various agricultural activities	1,252,175
Enforcement of United States cotton futures act	131,780
Enforcement of United States grain standards act	598,600
Administration of United States warehouse act	35,000
Total for Bureau of Markets	2,689,365
Salaries, enforcement of insecticide act	29,150
General expenses, enforcement of insecticide act	94,790
Total for expenses, enforcement of insecticide act	123,940
Salaries, Federal Horticultural Board	31,300
General expenses, Horticultural Board	97,700
Out of this last amount there was made immediately available for the extermination of the potato wart in Pennsylvania and elsewhere	50,000
Total for Federal Horticultural Board	129,000
Total, Department of Agriculture, for routine and ordinary work	29,847,162

Under the heading of miscellaneous there follows several subjects for which certain amounts were allowed, one of them being—

Eradication of foot and mouth and other contagious diseases of animals	$1,000,000
Eradication of pink boll weevil	595,800

The closing lines of the bill read:

Total carried by this bill for the Department of Agriculture	31,691,562

There are millions of people in the United States who have never seen this bill. A large percentage of farmers have not.

To some extent the headings and subdivisions and amounts assigned to each are here set forth for the purpose of showing how comprehensive the bill is and the funds considered necessary for the department.

The total amount provided in the bill may seem large or small, according to the way in which it is viewed. Regarded as dollars, it may seem large considered in the light of what we have expended in the last two years and the importance of agriculture to this country, and to other countries it may appear small.

Economy in consuming and in saving has been the cry that went throughout the land; plant, plant, and raise more food products has been the urgent request continually sounded in the farmers' ears for a year and a half.

The high cost of living has been the subject referred to in many addresses on the floor of the House, but usually without practical plans for reducing it.

The reasons which have caused increased cost of food are ascribed to the war, millions of men in the service constituting a consuming and not a creative force. This is undoubtedly one of the causes but not the only one. The war accentuated the importance of agriculture. Food for our men, our allies, and neutral nations demanded increased supplies.

There swept recently with great rapidity through Congress a bill under the cry of "bread or bullets," an appropriation of $100,000,000 to alleviate the alleged starving people of other countries, and soon food will be provided for those who a little while ago were our enemies. All this is due to war and may be of temporary duration. There are other causes which tend to make the high cost of living permanent. Two of them are farm help and increased cost of utensils and supplies. But that which appears to be a continuing cause is the urban drift of populations. The percentages of urban and rural population ascertained by census statistics show what this flocking to the cities is:

Urban percentage in 1880 was 29.5; rural, 70.5.
Urban percentage in 1890 was 36.1; rural, 63.9.
Urban percentage in 1900 was 40.5; rural, 59.5.
Urban percentage in 1910 was 46.3; rural, 53.7.

The entire population of the United States in 1910 was 91,972,266.

The rural population 49,348,883.

The urban population 42,623,383.

Places having less than 2,500 were included in the rural population. This means that large numbers were not actively engaged in farming. The next census will disclose the same tendency only in a more marked degree, as it appears to those who have given thought to the subject.

The cityward flow of population is greater in some States than in others. In Pennsylvania, for instance, in 1910 the urban percentage was 60.4 and the rural 39.6.

In this State the population of 7,665,111 was made up of 4,630,669 and country 3,034,442.

It is interesting at the present time to note the following data:

In the United States in 1910 the total number of farms were 6,361,502.

The land area of the country was 1,903,289,600.

The land area improved in farms was 475,451,750.

The average acreage per farm was 138.1.

The average improved acreage per farm was 75.2.

Per cent of total land area in farms, 46.2.

Per cent of land in farms improved, 54.4.

Per cent of total land area improved, 25.1.

Total value of farm property, $40,991,449,090.

Total value of farm land, $28,475,674,169.

Total value of farm buildings, $6,325,451,528.

Total value of farm implements and machinery, $1,265,149,783.

Total value of farm domestic animals, poultry, and bees, $1,265,149,783.

Average value of all property per farm, $6,444.

Average value of land per acre, $32.40.

The number of operators, all farms, 6,331,502.

Of these approximately one-half were tenants or not owners. The consuming population of the cities is growing more and more disproportionate to the food-producing force. The reasons are too well known to need comment—opportunity is one.

The country boy endowed with a rugged constitution, trained to frugal habits, ambitious to see and learn, seeks the city and makes good. The immigrant anxious to earn money finds wages in the city better and there locates. The average value of all farm property per farm being $6,444, a rapid increase of wealth can not be expected from an investment of that amount, and the city influx grows. In the past many notes of warning have been sounded. Luther Burbank said:

> It is well at this time to look first to the fundamental sources of our food supply, and it is fortunate, perhaps, that we have at last been so rudely awakened to the rapidly growing disproportion between the production and consumption of food.

James J. Hill said that unless the drift from the farm to the cities were checked, hunger would follow.

What would happen if for one season only food producing in the United States should stop? The student of food-production conditions realizes the gravity of the situation and searches for the causes and endeavors to find relief; the great majority of the consuming public feel the conditions and merely voice a protest against the high cost of living without suggesting any practical remedies, and are convinced that the farmer is getting too much for his supplies.

A few illustrations will show that a great profit does not find its way into the farmers' pocketbook. As to the farmers' profits, I read from an article in one of the Washington papers. It will bear reading and reflection:

> The price of wheat, fixed at $2.20 per bushel, makes the cost of a barrel of flour $11, as it requires 5 bushels of wheat to produce a barrel of flour. The difference in weight (wheat, 300 pounds; flour, 196 pounds) is 104 pounds of bran and middlings, which is at the present price ($40 per ton) ample to pay expenses of milling and sacking.
>
> A barrel of flour will produce four hundred 11-ounce loaves of bread, such as is retailed in Washington for 10 cents a loaf, making a total of $40 a barrel for flour to the consumer.

This is a difference of $29 between the raw and finished product. Who is getting the difference? Not the farmer.

And, again, this may interest the southern grower of grapefruit. He puts from 60 to 64 in one crate, and if it nets him $3 a crate he is satisfied. In many hotels and on railroad trains one-half of a grapefruit sells for 25 cents; at that rate the crate would cost the consumer $32, leaving $29 difference between what the grower gets and the consumer pays. In a Government-conducted restaurant milk is now selling at the rate of 40 cents per quart; the farmer gets from 9 to 14 cents for a quart in sections; all of the profit has not reached the farmer. Two conditions may profitably be considered with reference to high prices—one the disproportionate growth of city populations, the other the extra cost to the consumer over and above what the producer receives.

Two things are necessary: First, a regulated agency—local, State, or National—through which food may go from the hand of the producer to the mouth of the consumer with as little expense as possible. These agencies may be of many different kinds. Second, raising more by increased efficiency in farming land now under cultivation and the cultivation of more land.

It might be fruitful of good results if the incoming immigrant were made to seek his home making in this country on the farm. The stability of the country rests in large measure upon those who till their own land. The importance of the farmer to the country has been of late abundantly recognized. Recently the bankers, in a meeting held at the Capital, discussed the helping of the tenant farmer to own his own land. The Canadian Government has made a liberal offer of land and money to her returning soldiers for the encouragement of agriculture and as a reward for services rendered. Secretary Lane has been working along similar lines for the benefit of our men—encouragement of farming and welfare of the whole country.

Interest in agriculture is rapidly growing. The following extract from the New York Herald illustrates this:

FARMERS ASK CONSIDERATION.

> The Farmers' Union of the United States has just called the attention of the peace congress to the wisdom of fostering the industry on which we all depend—except a few ichthyophagy, of whom Sir Richard F. Burton tells us in his Travels in Arabia. The memorandum presented in Paris asks for the appointment of a special body having directly in charge the interests of agriculture, a question which is really more important than the boundaries of States or their political changes.
>
> Recognizing the immense value of international cooperation, the document urges the extension and improvement of the Agricultural Institute at Rome, which was founded 15 years ago by David Lubin, who died last New Year's Day, and to whom the world owes a debt that is yet scarcely appreciated for his great work in bringing together 53 nations to promote the interests of the farmer. His crop reports and import and export statistics were considered the highest authority in their line.
>
> Before the war international congresses were held under the auspices of the institute to study agricultural interests in all parts of the world. At the first of these, 40 nations were represented, and President Roosevelt appointed David Lubin as the American delegate, a position which he held until his death. It was partly through Mr. Lubin's efforts that the rural-credit system and the parcel post for farmers were introduced in this country.
>
> The memorandum presented in Paris rightly urges the continuation of this highly useful institute, and suggests that a uniform system of crop estimating be adopted. Conservation of agriculture is another subject favored. Universal free education of farm children is advocated—extending the idea of the "little red schoolhouse" to the whole world. It advances the idea of the gradual abolition of farm tenancy, which has come down from feudal times and made such a large part of the populations of Europe mere serfs, working for the benefit of their landlords. The peace congress would do well to heed the farmers' plea.

Billions of our dollars have been appropriated for war purposes; in comparison the amount carried in this bill is small and to a department whose activities are directed for the benefit of agriculture, without which neither the industrial armies of peace nor the militant armies of war could endure.

What Congress Has Done for the Discharged and the Disabled Soldier and Sailor.

EXTENSION OF REMARKS

OF

HON. WILLIAM B. OLIVER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. OLIVER of Alabama. Mr. Speaker, it is important for every person who served in the Army or Navy during the great war to know what Congress has done for the protection of his interests. It has been the aim of Congress to provide every possible means to take care of the disabled and the discharged soldiers, to the end that they may return to civil life with their rights fully protected and with an enlarged opportunity of employment.

The Sixty-fifth Congress was a war Congress. It had to provide a great war organization and had to meet and solve tremendous military and financial problems. No other Congress in our history has had to face such tasks. Many other things remain to be done. The sudden termination of the war brought us face to face with the problem of demobilization before we had completely gotten into the war. The short time left to the Sixty-fifth Congress was not sufficient to allow for the enactment of all bills relating to the return of our soldiers. These must go over to the next Congress.

The following provisions enacted by the Sixty-fifth Congress should be brought to the attention of every discharged or wounded soldier:

1. The soldiers' and sailors' civil rights act, which provides that no advantage can be taken of the absence of a soldier or

sailor on duty to gain a judgment by default in a court of law; it also protects his rights in the matter of installment payments on insurance, land, or other property. (H. R. 6361.)

2. Laws passed protecting the homestead entries of absent soldiers and sailors by extending the time for payment and otherwise protecting the title. (H. R. 4617 and H. R. 13353.)

3. The newly enacted Post Office appropriation bill, carrying an appropriation of $200,000,000 for the construction of Government roads to be apportioned among the several States. Its purpose is to furnish employment to discharged soldiers and sailors on a very interesting and very important public work. The building of these roads will require the services of a large number of skilled experts of different kinds as well as laborers. It will not be done by the Army nor under Army jurisdiction nor at the Army rate of pay. The builders of these highways will be paid according to civilian standards. Preference will be given to honorably discharged soldiers and sailors in employment for this work.

4. Under the war-risk insurance act soldiers and sailors returning to civil life may, after a certain length of time, convert their war insurance into one of several forms of policies offered by the War Risk Insurance Bureau. This matter should be taken up by correspondence with the bureau, which will readily furnish complete information on the subject.

5. Section 1406 of the last revenue act, approved February 24, 1919, authorizes the payment of a bonus of $60 to officers, soldiers, field clerks, and nurses of the Army upon honorable separation from the service. Those who have been discharged and have received their final pay without the bonus should write a letter to the "zone finance officer, Lemon Building, Washington, D. C.," stating their service since April 6, 1917, the date of last discharge, and their present address. They should inclose with this letter their discharge certificate or military order for discharge, or both, if both were issued. The discharge certificate will be returned to the soldier with the check for $60. The original certificate or order must be sent, not a copy.

6. Near the close of the last session Congress passed an act allowing every discharged soldier to retain permanently one complete uniform, including the overcoat and other articles of personal apparel belonging to the uniform. If a soldier has already been discharged and has turned in his uniform, he is entitled to have another one like the one he turned in. In such a case he should write to the office of the Quartermaster General or the nearest branch of the same. (H. R. 13366.)

7. The hospital and sanatorium act recently passed appropriated $10,000,000 for the building and equipment of hospitals and sanatoriums on Government-owned land in various parts of the country for the care and treatment of discharged sick and disabled soldiers, sailors, marines, and Army and Navy nurses. The Secretary of the Treasury, as head of the Public Health Service, is authorized to proceed with this work immediately. (H. R. 13026.)

8. One of the most important laws passed by the Sixty-fifth Congress is the vocational rehabilitation act. This law provides for the training of disabled soldiers and sailors for occupations after they are discharged from the hospitals, and creates the Federal Board for Vocational Education to carry out the terms of the act.

Until his discharge from hospital care, the medical and surgical treatment necessary to restore him to health and strength is under the jurisdiction of the military and naval authorities. The vocational training which may afterwards be necessary to restore him to self-supporting activity is under the jurisdiction of the Federal Board for Vocational Education. If he needs an artificial limb or other appliance the Bureau of War Risk Insurance supplies it free upon his discharge and renews it when necessary. If after his discharge he again needs medical treatment on account of his disability the Bureau of War Risk Insurance supplies it free. Any man whose disability entitles him to compensation under the war risk insurance act may be provided by the Federal Board for Vocational Education with a course of training for a new occupation. The board considers itself responsible for getting his old job back or fitting him for a new one.

While he is taking this training he is supported by the Government. But this compensation is not the same thing as insurance. It is something distinct from that and is given whether the soldier is insured or not. It is given for partial as well as total disability. If further information is desired on this point, address a letter to the Bureau of War Risk Insurance, Washington, D. C., and ask them to send you Official Bulletin No. 2, "What the United States Government does for its fighting men and their families."

To get this compensation, application must be made for it. Blanks will be furnished by the Bureau of War Risk Insurance. Application should be made before or soon after leaving the hospital. Members of the hospital educational staff in every hospital will be glad to give full information on these points. In general this compensation is not less than $65 a month for a man without dependents. If he has dependents allowances are paid to them. As President Wilson has said, "This is not a charity. It is merely the payment of a draft of honor which the United States of America accepted when it selected these men and took them in their health and strength to fight the battles of the Nation."

Under the training and guidance of the Federal Board for Vocational Education in nearly every case the disabled man can either rid himself of his handicap caused by his disability or acquire new powers to replace any that may have been lost. The board will also keep in touch with the man after he receives permanent employement, so long as may be necessary for his full reestablishment as a worker.

The board has published a series of "Opportunity Monographs" which they will gladly send to anyone interested. These cover a number of occupations in relation to the problem faced by the disabled soldier. The following are some of the titles already available for distribution:

Army Occupations as Preparation for Civilian Employment.
Safety and Fire Protection Engineering.
The Metal Trades.
Factory Woodworking Trades.
Oxy-Acetylene Welding.
Forestry Pursuits. Foresters, Rangers, Forest Guards.
Automobile Maintenance and Service.
Employment Management. A New Executive Position in Industry.
Concrete Construction and Cement Manufacture.
Electrical Employments with Utility Companies.
Electrical Construction, Maintenance, and Repair Occupations.
The Law as a Vocation.
The Practice of Medicine as a Vocation.
Journalism as a Vocation.
The Lumber Industry.
Occupations in the Automobile Manufacturing Industry.

All disabled soldiers, whether in or out of the hospital, or their families or dependents, should address their inquiries about their specific cases either to the Federal Board for Vocational Education, Washington, D. C., or to the district office of the board of the district in which they are located. The district for Alabama, Louisiana, and Mississippi is district No. 6, with its office at 822 Maison Blanche Annex, New Orleans, La.

9. A measure of great importance to the discharged soldier and to the country—the national soldier settlement bill (H. R. 15993)—passed the House, but was unfortunately caught in the legislative jam in the Senate at the close of last session. This bill has been advocated very strongly by Secretary Lane and its enactment was urged by President Wilson. The purpose of the bill is to furnish employment and homes to a large number of men discharged from the armed forces by engaging them upon a great reclamation project. There are more than 200,000,000 acres of arid, swamp, and cut-over forest lands in the United States which can be converted into farms by irrigation, drainage, or clearing. It is said that there are over 40,000,000 acres of these lands in the South between Washington, D. C., and New Orleans. In Alabama alone there are 14,785,000 acres of cut-over or logged-off timberland and 1,479,200 acres of swamp land, making a total of 16,264,000 acres that can be converted into farms.

Now, this bill provides a fund of $100,000,000 to finance these projects. It is to be done as a part of the regular reclamation service of the Government, and a great opportunity for employment of both skilled and unskilled men will be furnished to our returning soldiers and sailors. When the land is made fit for cultivation it is to be sold to these men for homes and farms on easy terms by the Government. The interest on the deferred payments will be only 4½ per cent per annum. The law, when enacted, will be administered by the Secretary of the Interior through the Reclamation Service. The bill is practically certain to pass soon after Congress meets again. Full information concerning this bill can be had by writing to the United States Reclamation Service, Department of the Interior, Washington, D. C. Of special interest is their bulletin Work and Homes for our Fighting Men, which can be had upon application.

10. Another bill of interest to soldiers and sailors was pending when Congress adjourned on March 4 last. It gave preference to them in employment in the civil service of the Government. This bill (H. R. 15145) had been considered by the committee of the House and was reported to the House for favorable action. Its passage would give to honorably dis-

charged soldiers and sailors a preferred standing with reference to Government employment. Other things being equal, they would be chosen in preference to those who had not served in the Army or Navy.

It is hoped that these facts will be helpful to our returned fighting men and to their families. Congress has done what it could within the short time it has had to consider the problem of the demobilization of our tremendous armed forces. It is recognized that there have been delays both in Congress and in the departments, but these have been due to the magnitude of the problems involved and also to the fact that the whole thing was new and without precedent. The War Department has had to build up the largest and most complicated organization in the world. The Bureau of War Risk Insurance is also entirely new and has just completed the full organization of its forces. Payment to many of the soldiers has been delayed, and complaints of this character have been filed with the office, and in many cases we have been able to secure early adjustment. The same is true in reference to allotments and allowances. In cases of this kind letters should be promptly written to the Congressmen, calling attention to it, and they will be glad to assist in straightening such matters out.

EXTENSION OF REMARKS
OF
HON. ROYAL C. JOHNSON,
OF SOUTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. JOHNSON of South Dakota. On February 18, as an amendment to the military bill, I offered the following amendment, to which a point of order was made by the chairman:

Add a new paragraph, as follows:

"From and after the passage of this act the Secretary of War be, and he hereby is, authorized to promote all officers, noncommissioned officers, and enlisted men who have been recommended for promotion for service of a special meritorious character, which recommendations have been approved by competent military authority, to the grade and rank to which they were respectively recommended. That in the event any such officer or enlisted man has been honorably separated from the service he shall be commissioned in the reserve, with the grade and rank to which he was recommended for promotion, or if he shall not desire a commission in the reserve he shall receive a commission in the rank to which he was recommended.

"Each officer or enlisted man so commissioned shall receive pay in the increased rank from the day of recommendation to the day of discharge. The commission so issued to officers and enlisted men after the date of honorable separation from the service shall not be in force or effect after the date of such separation and shall contain a provision to that effect."

In my opinion, the next Congress should enact into substantive law this amendment in order to do justice to the men who actually saw service at the front and were recommended for promotion. It will take in not only officers but many enlisted men, who were sent to officers' finishing schools in France and ought to get credit for their work. If they were entitled to promotion at all, they should receive it from the day the recommendation was made, so that they may be paid from that day.

I am convinced that an injustice was done many of these men when they were not commissioned and not promoted, and the only way that we can deal out justice to them is to have the increased rank commence from the day when the unfair order of November 11 was issued.

At the next session of Congress I shall introduce this as a special measure and fight for its enactment into law.

EXTENSION OF REMARKS
OF
HON. NORMAN J. GOULD,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919,

On the foreign trade section of the bond bill with respect to the situation in Mexico.

Mr. GOULD. Mr. Speaker, a quietly dressed individual walked into a bank in Mexico City recently and introduced himself to the cashier, a Hollander:

"I am an American," he said "representing an American firm."

"That," replied the cashier, warningly, "is a combination of misfortunes that you will do well to conceal while in Mexico."

Whether the Dutch banker had heard of the similar bon mot by the late Speaker Reed, or whether the story is true at all, it serves to illustrate, like a two-edged blade, the sad state of our national prestige with our southern and disorderly neighbor.

In his once-famous Mobile address, President Wilson referred to our Mexican neighbors as "a race of dignity, self-control, and great achievement." That statement is just as true, just as applicable, and just as well-balanced as any policy or move for which the American Government has since been responsible.

As a result, among this "race of dignity, self-control, and great achievement" the title "American" has become a byword and a laughingstock; the American citizen, deserted by his own Government, has been persecuted and hounded until, were he a weaker type, less filled with the pride of race, he must, perforce, blush to confess his nationality.

This race of "self-control" under the fatuous, socialistic indulgence of our Government, since 1912 has not been too restrained to shoot down defenseless strangers in their midst who admitted the once magic title "American"; nor too dignified to receive with the left hand our offerings of charity and good will, and with the right hand shoot down unwarned the bearer of these offerings; nor in its "great achievements" has it been too sensitive of its honor to violate all the rules and ethics of international morality and common decency.

An all-embracing issue before the country now—as it will remain before the country until settled by the elections of 1920—is the issue Americanism against Bolshevism. This issue extends to our foreign relations; it has already affected our trade with Latin America to such an extent that only a strong, even policy of resistance on justice and respect for international obligations on the part of our southern neighbors ever can hope to build again from the present wreckage the lofty structure of mutual trust and confidence conceived, founded, and completed under the leadership of such men as Theodore Roosevelt and Elihu Root.

At the last session of Congress I introduced two resolutions, both of which were referred to the Foreign Affairs Committee of the House:

Resolved, That the President be, and hereby is, requested, if not incompatible with the public interests, to furnish the Committee on Foreign Affairs of the House of Representatives all facts and consular and other official reports: First, in relation to the degree of protection afforded by the present Government of Mexico to American lives and property in the Republic of Mexico, particularly in oil-producing districts; second, in relation to the conduct of the troops of the Government of Mexico in giving or failure to give protection to American citizens and property; and third, in relation to the reported attempt of the Government of Mexico to confiscate lands legally acquired by American citizens, firms, or corporations in Mexico.

Resolved, That the Committee on Foreign Affairs of the House of Representatives be, and the same hereby is, authorized and directed to inquire into the causes and conditions attendant on and resulting from the failure of the Government of the United States to extend formal recognition to the existing Government of the Republic of Costa Rica, and to report to the House of Representatives the facts involved.

It is my purpose at the next Congress to urge the passage of these or similar resolutions looking to a thorough and intelligent investigation of our Latin-American relations. I have every reason to believe that such steps will then be taken as will force the Department of State to call a halt on our present un-American and unmanly foreign policies and restore our flag to its former place in the hearts and minds of the peoples of the Latin Americas.

It is my purpose here to discuss only broadly the Mexican situation in its entirety and to deal particularly with the oil-producing district of the State of Vera Cruz and the oil-shipping district of Tampico, where American and British interests alone have investments aggregating $300,000,000 and where so-called bandit outrages in the past 17 months alone have cost the lives of 9 Americans and the wounding of 11 Americans and a loss through stolen goods and money alone of more than $170,000.

And I say, and I will prove, that the situation in this particular section is one of Government-protected outlawry, aimed largely against American citizens, and in which the Government of the United States by its inactivity has tacitly acquiesced.

I am presenting in tabulated form a partial list of murders, assaults, robberies, and "requisitions" by Carranza troops upon American citizens and properties in the Tampico oil fields alone. This tabulation shows that between August 15, 1917, and February 5, 1919, not less than 114 of these outrages occurred—one in every four and one-half days for the entire period—costing the lives of 9 American citizens and 3 Mexican employees and the wounding of 11 American citizens and 5 other employees.

In only 64 of the cases listed do my reports give an estimate of the money loss and in no case is an estimate included of damage done the properties through destruction of wells, pipe

lines, railway bridges, and buildings. And yet this total representing only the proceeds of highway robbery for that period, reaches the staggering figure of $171,610.66.

During this entire period our Government maintained diplomatic relations with the "Government" of Mexico, the principal income of which is derived from heavy taxation of these same properties. During this entire period our ambassador to Mexico, when not in this country vainly arguing with American bankers on behalf of further loans to the Mexican "Government," was in Mexico City watching the machinations of the German embassy, upon which First Chief Carranza leaned heavily for advice, as it encouraged him in measures designed to cripple the oil supply for the American and British Navies.

It is a significant fact that between October 6, 1917—the United States entered the war in April, 1917—and October 16, 1918, not less than 21 of these outrages were proven against Carranza forces, either in the form of "requisitions" for money and supplies, for which no reimbursement was offered or made; plain highway robbery by Carranza soldiers in their individual capacity; or demands by Carranza officials for money in return for "protection," which was never given, and which resulted in the deliberate destruction of foreign properties by Carranza officers when such payments were not forthcoming.

The following tabulation gives a comprehensive view of the situation in the oil fields alone between August 15, 1917, and February 5, 1919:

Date.	Property involved.	Character of outrage.	Money value.	Americans killed.	Americans wounded.	Mexican employees killed.	Mexican employees wounded.
1917.							
Aug. 15	East Coast Oil Co.	Robbery; threats of death	$994.00				
Sept. 1	do.	Robbery	400.00				
4	Aguila Co.	do.	199.00				
29	do.	Robbery and shooting	23,406.00				
Oct. 6	do.	Robbery	109.00				
6	do.	do.	246.00				
16	do.	do.	245.00				
10	East Coast Oil Co.	do.	537.00				
Nov 24	Mexican Gulf Oil Co.	Robbery and shooting	1,402.00				
Dec. 27	Aguila Co.	do.	40,710.00				1
1918.							
Jan. 23	East Coast Oil Co.	Threats and assault			1		
Feb. 6	Aguila Co.	Robbery	3,700.00				
8	East Coast Oil Co.	Robbery, supplies and blankets	(1)				
9	Huasteca Petroleum Co.	Raid by soldiers; stock, money, and food supplies taken	(1)				
10	do.	Railway bridge destroyed	(1)				
10	do.	Money demand by Carranza general	1,000.00				
11	do.	Raid and robbery of plant	(1)				
11	do.	Carranza demand of money and food for soldiers	5,000.00				
12	do.	Railway bridge destroyed	(1)				
12	Texas Co.	Attempted robbery and shooting					1
14	Huasteca Petroleum Co.	Destruction water line, telephone line, and railway bridge.	(1)				
15	do.	3 railway bridges destroyed	(1)				
15	Freeport & Mexican Corporation.	Robbery; American held for ransom; released	(1)				
19	Cia Metropolitan de Oleaductos S. A.	Assault and firing upon launch					
21	do.	do.			1		1
21	Mexican Gulf Oil Co.	Robbery	329.00				
21	Texas Co.	Robbery and killing	7,000.00	1	3		1
22	do.	Robbery	1,250.00				
22	Huasteca Petroleum Co.	Raid by Government troops	5,000.00				
22	do.	do.	300.00				
24	do.	Pumping plant wrecked	(1)				
Mar. 1	Aguila Co.	Robbery	175.00				
1	do.	do.	888.00				
5	Cia Metropolitan de Oleaductos S. A.	Robbery by soldiers	670.00				
7	Aguila Co.	Robbery	1,700.00				
12	Huasteca Petroleum Co.	Robbery; live stock and food	(1)				
15	Freeport & Mexican Fuel Oil Corporation.	Robbery; stores, clothes, etc	(1)			2	
16	Texas Co.	Robbery; money, jewelry, etc	150.00				
16	Cortez Oil Corporation.	Robbery	2,1007.67				
17	Huasteca Petroleum Co.	Line cut at Garrapatas	(1)				
25	Aguila Co.	Robbery; money, provisions, etc	959.31				
28	do.	Robbery; money, personal effects and 6 mules	3,948.00				
Apr. 4	La Corona Co.	Robbery	705.50				
6	Texas Co.	do.	50.00				
7	do.	do.	50.00				
12	Cia Metropolitan de Oleaductos S. A.	Robbery; commissary supplies and money	162.50				
13	International Petroleum Co.	Robbery; threats of death	438.06		1		
16	Mexican Gulf Oil Co.	Plant shut down	(1)				
18	do.	Robbery	229.47				
14	Cortez Oil Corporation.	Camp raided; employees closed camp and returned to Tampico.	(1)				
15	Huasteca Petroleum Co.	Water line to pump station cut	(1)				
18	Texas Co.	Robbery; production camp	(1)				
18	do.	Robbery	1,500.00				
19	La Corona Co.	Robbery; personal belongings	(1)				
23	Aguila Co.	Robbery	1,359.50				
24	East Coast Oil Co.	Robbery; money, clothes, and personal effects	(1)				
25	Aguila Co.	Robbery; money and watch	18.00				
26	La Corona Co.	Robbery; threats of death	475.00				
27	do.	Robbery	473.50				
May 6	Mexican Gulf Oil Co.	Assault			1		
6	Aguila Co.	Robbery; money and personal effects	512.00				
12	La Corona Co.	Robbery; money, 26 mules, 2 horses, 1 ox cart, chickens, medicines, food supplies; cut telephone lines and held employees as prisoners in camp.	3,500.00				
12	Cortez Oil Corporation.	Camp raided	(1)				
16	do.	Robbery	$10,574.50				
16	Texas Co.	do.	5,000.00				
17	Mexican Gulf Oil Co.	Hold-up	(1)				
20	Cia Metropolitan de Oleaductos S. A.	Robbery	51.50				
22	Mexican Gulf Oil Co.	do.	1,040.49				
22	do.	do.	163.30				
23	La Corona Co.	do.	456.50				
23	do.	Robbery; money and personal effects	300.00				
26	do.	Robbery; money and clothes	523.00				
29	do.	Robbery	156.00				
June 1	do.	Robbery; personal belongings	(1)				
5	Transcontinental de Petroleo S. A.	Robbery	3,000.00				
8	La Corona Co.	do.	1,509.60				
8	East Coast Oil Co.	do.	771.35				
9	Aguila Co.	do.	967.00				

[1] Not given.

Date.	Property involved.	Character of outrage.	Money value.	Americans killed.	Americans wounded.	Mexican employees killed.	Mexican employees wounded.
1918.							
June 12	Cia Metropolitan de Oleaductos S. A	Robbery; money and commissary supplies	$550.00				
18	do	Camp raided and ransacked	(1)				
24	do	Earthen storage tank set afire; 80,000 to 90,000 barrels oil burned or lost.	(1)				
26	Texas Co	Employee robbed	(1)				
27	Cia Metropolitan de Oleaductos S. A	Robbery; personal belongings	(1)				
28	Aguila Co	Murderous assault					
29	Mexican Gulf Oil Co	Murder and robbery		4	2	1	1
30	La Corona Co	Superintendent held for ransom					
July 24	Cortez Oil Co	Murder and assault		1	1		
31	Texas Co	Murder and robbery		1			
Aug. 1	Gulf Refining Co	Launch fired upon and robbed	(1)				
2	Mexican Gulf Oil Co	do	3,220.95				
—	do	Robbery	469.58				
2	Aguila Co	do	5.22				
7	do	Fire resulting in sea-loading line being put out of commission.	(1)				
14	do	Raid on camp; 2 cows killed	62.50				
16	Cortez Oil Corporation	Robbery; assault and rape	(1)				
20	Aguila Co	Robbery	12.50				
20	Cia Metropolitan de Oleaductos	"Loan" to Federal General	50.00				
21	do	Attempted assault					
20	La Corona Co	Robbery; assault; attempt at criminal assault	(1)				
21	Aguila Co	Robbery; corn valued at	5,000.00				
25	Cortez Oil Corporation	Robbery	(1)				
28	do	Attack on operator in wireless station					
Oct. 6	Island Oil & Transport Co	Towboat commandeered by Carranza officer and soldiers; groceries confiscated.	602.30				
16	do	Carranza general commandeered company launch and kept it 12 days.	(1)				
Nov. 6	Huasteca Petroleum Co	Robbery	1,000.00				
19	Island Oil & Transport Co	Carranza general and 4 soldiers threatened superintendent's life.					
Dec. —	Compania Transcontinental de Petroleo.	Robbery	5,275.83				
31	Huasteca Petroleum Co	Locomotive commandeered by Government forces; Cortez crossing blown up; Cortez railroad bridge burned.	(1)				
1919.							
Jan. 12	Freeport & Mexican Fuel Oil Corporation.	Robbery	(1)				
14	do	do	(1)				
17	do	Robbery; all camp equipment, provisions, personal belongings.	(1)				
20		Bodies of two American oil employees found on Cabo Rojo Island, with evidence they were shot with rifle bullets.		2			
21	Compania Transcontinental de Petroleo.	Robbery and assault	5,000.00		1		
Feb. 5	Texas Co	Robbery	4,000.00				
	Total (114)		171,610.66	9	11	3	5

[1] Not given.

I am in a position to furnish detailed information as to each of the outrages listed in this tabulation. In the interest of economy, however, I shall confine myself to a few striking examples of murderous assaults by alleged bandits upon American citizens and property and of the method and measure of protection which "our friend" the Carranza government offers our citizens.

On December 27, 1917, Paymaster A. E. Schmidt, of the Aguila Co., on board the launch *Vasuto*, was held up and robbed of $40,710.66 at kilometers 8-9 of the Chijol Canal, five miles from the city of Tampico. The launch was fired on without warning and the engineer, Manuel Viano, was wounded, although no attempt was made to get away nor was any resistance made.

On February 12, 1917, Paymaster House, of the Texas Co., in the launch *Alex I*, was held up by bandits on the Chijol Canal within a few miles of Tampico. The launch was fired upon without warning and the Mexican launch boy was shot through both arms. Mr. House opened fire with a shotgun after bringing the launch to and disbursed the bandits.

February 19 and February 21, 1917, the launches *Thendara* and *Roup-La*, belonging to the Cia. Metropolitan de Oleaductos S. A., and carrying three American passengers, were riddled with bullets fired by armed bandits. The pilot of the launch was severely wounded, and one of the American passengers was slightly wounded. While these two launches were being fired on on the 21st the following incident was transpiring. I quote from a report of the Mexican manager of the Texas Co.:

Early in the morning of February 21 launch *Alex I* was stopped by bandits in Chijol Canal near Tampico. The bandits were looking for the paymaster and the pay roll, but, as other arrangements had been made at the last moment, he was not aboard. The bandits threatened to kill a passenger who was on board, believing him to be the paymaster, but a company employee, Mr. C. C. Sidwell, finally convinced them that the passenger was not Mr. House. One of the launch boys was shot through the arm when the launch was fired into by the bandits from the shore to stop it. Mr. Sidwell, the passenger, and the launch boys were robbed of all their personal belongings by the bandits. Just as the bandits were finishing the robbing of persons on board the *Alex I* the two fast launches of the Metropolitan (Island Oil Co.) came by the spot. They were both fired into, but the *Thendara* kept going, on account of her great speed, and got away, one man, Mr. Walter Prather, being slightly wounded. The other launch was stopped because the man at the wheel was wounded. On board this launch was Paymaster Minnet, Dr. Brisbane, and several other employees of the Island Oil Co., and Paymaster House, of the Texas Co. The bandits knew exactly how much money the Island paymaster should have and were satisfied after that had been passed out to them. They apparently did not know that Paymaster House was on board the same boat, but they chanced to see the end of his shotgun and demanded that same be turned over to them. On account of his previous experience, Paymaster House was afraid to surrender the gun and prepared to defend himself. He was killed in the fusilade which followed. Paymaster Minnet was wounded in three places; Dr. Brisbane was seriously wounded. There were about 40 men in the party, all well armed. Total casualties: Mr. House, killed; Mr. Minnet, Dr. Brisbane, and Mr. Prather wounded; Mexican launch boy wounded. All the wounded men recovered. About 14,000 pesos were taken by the bandits. None of these were caught or punished.

These are only a few of the many instances in which pay launches on the way from Tampico to the various fields by this canal were held up and robbed by armed men posing as bandits.

Now, here is a startling coincidence and an equally startling commentary upon the measure of protection which our Government has been able to obtain from the "friendly" government of Mexico.

By decree of the Carranza government in the last outrage listed above, which cost the life of one American, the severe wounding of two others, the Texas Co. had registered with Carranza authorities in Tampico the amount of money, the date of sending, and the name of the launch. This explains the intimate knowledge which the "bandits" had not only of the movements of this pay launch but of the other pay launches as well, and the actions of Carranza officials in Tampico, and the unusual amount of money they had the day following this outrage indicates that this was no coincidence at all, but a plain murderous outrage and robbery perpetrated by Carranza soldiers directed by high Carranza officials in Tampico.

American consul at Tampico, I understand, has reported his belief that Carranza soldiers perpetrated this outrage.

Now, here is another case. On June 29, 1918, a party of five armed Mexicans, believed to be Carranza soldiers acting with or without orders, entered the Prieto terminal of the Mexican Gulf Oil Co., about four miles from Tampico. Within 30 to 40

minutes they had killed four Americans and one native foreman, wounded another native employee, and escaped with $5,562.40 United States currency. No resistance was made by any of the men at the terminal, and no cause was apparent for the brutal assault and death of these men.

On August 21, 1918, nothing apparently having been done by the Carranza government toward the apprehension of these murderers, I wrote the Secretary of State for information in the premises. Under date of August 29, 1918, Secretary Lansing replied that the Department of State had been apprised of the incident by the American consul at Tampico on the day of its occurrence. Mr. Secretary Lansing's letter concludes:

> * * * The consul added that he had requested the authorities to apprehend the murderers, and it appears from his reports that he has renewed that request on several occasions. Similar requests have been made under instructions from the department by the American Embassy at Mexico City upon the Mexican foreign office, and the last advices received by the department from the embassy are to the effect that the foreign office states that two men suspected of complicity of the crime have been placed under arrest at Jopoy.

I have since, within the last few days, talked with the office of the Secretary, and have been informed that that office has no further information, though "on several occasions" the State Department prior to August 29, 1918, through the American consul at Tampico, had renewed that "request" that the murderers be apprehended and punished.

"Request"—can you imagine any self-respecting American community "requesting" its police authorities to apprehend and punish the murderers of four of its members, or sitting back placidly for eight months while those same authorities did nothing?

Or can you conceive of the Government of a self-respecting, law-abiding people going no further than to "request" that murderers of its nationals on foreign soil be punished?

How does that "request" compare with the ringing ultimatum of Theodore Roosevelt in 1904 to the Sultan of Morocco, one of whose bandit chiefs, Rasuli, was holding an American citizen for ransom—"Perdicaris alive or Rasuli dead"?

And how do the results attained by these widely different methods of diplomacy compare? Perdicaris was promptly delivered to his friends alive and well; the State Department within a week has informed me that nothing further has been heard or done in the matter of the outrages and murders of June 29, 1918, which cost the lives of four American citizens.

Less than a month later—July 24, 1918—a Porto Rican pipeline foreman, an American citizen, was murdered and the pipeline superintendent, an American citizen, of the Cortez Oil Co., was stabbed near Port Lobos, in Carranza territory.

Five days later—July 31, 1918—A. W. Stevenson, an American citizen, cashier of the Texas Co., was shot in the back and killed by armed Mexicans while he stooped to open a safe to comply with their demands for money.

On December 17, 1918, J. M. Franklin and W. H. Rose, American citizens and employees of an American oil concern, disappeared on Lake Tamaihua, on the main traveled channel between Tampico and the oil fields, in Carranza territory. On January 20 the bodies of these two men, who had been shot with rifle bullets, were found on Cabo Rojo Island in the lake.

July 30, 1917, in extending de jure recognition to the "government" of First Chief Carranza, President Wilson addressed him in a personal letter as "Great and good friend."

And now let us consider the degree of "protection" which this great and good friend, which we had honored by our recognition and by the assigning of an ambassador, has afforded our nationals.

On August 2, 1918, Mr. Rox Underwood, accompanied by a military escort of sixteen Government soldiers, left the Fiscal Wharf at Tampico in a motor launch with pay-roll money amounting to 5,893 pesos en route for southern oil-field camps. At the southern end of the Chijol Canal the "military escort" disembarked and withdrew. Less than 2 miles farther down the launch was fired on and the pilot immediately turned the launch to the bank, were five men came aboard. In the face of nonresistance the leader of these men fired on Mr. Underwood, and missing him still proclaimed that Underwood was condemned to death and must be shot. He was finally dissuaded from this purpose, however, and taking the money permitted the launch to proceed. These men were armed with Mauser rifles and dressed in practically the same manner as government troops. Two of them were recognized by the crew of the launch as part of a military escort which had accompanied them on a previous trip and who belonged to the command of Col. Fermin M. Acosta, in charge of the government garrison at San Geronimo. This same garrison about this time had "requisitioned" nearly $500 worth of camp material and provisions from the barges of this company tied up at San Geronimo.

That's "governmental protection" a la Mexico.

The day before a pay boat of the Gulf Refining Co. had received even a more marked degree of "protection" from its Carranza guard, which disembarked and withdrew at Rivera, and then held up and robbed the boat a mile south of that point.

Here is still another example of protection, along somewhat different lines:

On August 4, 1918, a detachment of Government troops was sent from Tuxpam to protect a plant of the Aguila Co. from incendiary fires supposedly started by bandits. The Aguila Co. provisioned these troops for four days, at the end of which no further provisions were available. Their leader, Capt. Vidrios, upon learning of the situation remarked significantly "esta bueno" (it is good) and immediately marched his command off into the brush. A few minutes later 15 brush fires, in extended formation, sprang up from the vicinity where the government troops had last been observed, these fires being so located as to threaten the entire plant with destruction. By heroic effort the employees of the company managed to neutralize the flames, though not until an entire sea line had been burst from the heat and a large quantity of oil lost.

On August 25, 1918, employees of the Cortez Oil Co. captured two robbers in front of their plant. They turned these men over to the local commandante, together with witnesses, stolen goods, and other evidence. Gen. Lopez de Lara visited the camp the following day and released the prisoners forthwith.

The effect of the proposed constitution of the league of nations upon our interests in and responsibility for Mexico is of impressive importance.

Under the Monroe doctrine, and under guaranties made to European Governments by our State Department, the responsibility of the United States involves the protection of all foreign investments in Mexico, valued at $1,641,054,180, divided according to an official report of the Bureau of Foreign and Domestic Commerce, Department of Commerce, as follows:

American	$1,057,770,000
English	321,302,800
French	143,446,000
Various	118,535,380

Of this amount $300,000,000, according to the same authority, is invested in oil fields, of which $200,000,000 is American capital. The remainder of the total of foreign investments in Mexico is in railroads, mines, bonds, bank deposits, and agricultural lands.

In addition to this responsibility the State Department, in the interest of the Mexican Government to prevent retaliatory measures by European powers, has assumed official financial responsibility for all damage claims growing out of political disorders and outrages in Mexico in the last eight years, totaling, with American claims, about $500,000,000, according to the best information I can get.

Now, let us see what would be the probable effect of the adoption of the proposed constitution of the league of nations upon our concern with conditions in Mexico.

The terms of the constitution of the proposed league are so vague and their effect so uncertain that one is left largely to the realm of conjecture respecting the working of such a league; and the best way to get a clear conception of what the league might do, and to a practical certainty will do, if adopted, is to apply its terms to a concrete case.

President Wilson has said that the Monroe doctrine under this constitution would be extended to the entire world. That means, if it means anything, that the Monroe doctrine, in so far as it has anything of interest to the United States, or to the Western Hemisphere, would be lost entirely. The Monroe doctrine is purely a Western Hemisphere policy; robbed of its geographic distinction it becomes a dead letter. And to this the United States, if we subscribed to the proposed constitution of the league of nations, will have assented.

Several years ago our Government and our people were greatly disturbed because rumor had it that Japan was securing a concession and establishing a naval base at Magdalena Bay. Inquiry disclosed that citizens of Japan and not the Government of Japan were securing an important concession at Magdalena Bay, which they claimed was for business purposes. Any observer, however, was fully aware that behind this cloak of business enterprise was concealed a far-reaching military strategic plan of Japan. The imminence and seriousness of the matter was so great that Senator Lodge introduced and the Senate passed, by a vote of 51 to 4, the famous resolution which read as follows:

> *Resolved*, That when any harbor or other place in the American Continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power or of control for national purposes.

What has so recently occurred may conceivably occur again—is almost certain to occur again. Supposing individual citizens of Japan should secure from Mexico a concession on Magdalena Bay, which everyone with a grain of sense knows would be to enable Japan to secure a naval base from which she could operate against the United States, what could the United States do in the league of nations? Manifestly she would be powerless. Let it be understood that it is not the Japanese Government that is making a move. They are citizens of Japan. There is no aggression against the Mexican Government because the Mexican Government is a party to it. The Monroe doctrine has been abolished, and, under the terms of the league, the league could do nothing but sit around and talk about it. In the meantime Japan would proceed to establish as important a naval base as she desired at Magdalena Bay.

The passage of the above resolution was an expression of the determination of the United States to protect herself. It was an act of self-preservation backed not by law, backed not by international law, backed only by the physical power and the determination of the United States to protect herself. Should she become a member of the proposed league, under the terms of the constitution proposed for that league, her hands would be tied, even in grave cases of this character.

Mexico, not having entered the league, would be no more bound by its lofty ideals and unselfish motives than it has been in the past.

Article 27 of the "new" Mexican constitution, adopted in 1917, expressly forbids any except Mexican companies to acquire directly, or to operate directly, petroleum lands in Mexico. The petroleum lands now owned and operated by Americans, which would be confiscated under decrees issued by the Mexican Government, based on article 27, are not "concessions" in any sense of the word.

The official report of the Department of Commerce above referred to says on this point:

> The most interesting point about the American companies is that, apparently, not one of them has ever obtained a "concession" of land from the Mexican Government. Their contracts of purchase or lease, it is stated, have in every case been made with private owners, who held titles exteading back often for more than 250 years.

The position of this Government in the premises was clearly set forth in a note delivered by Ambassador Fletcher to the Carranza government in Mexico on April 2, 1918, declaring:

> The United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights.

This position would be entirely vitiated by the "extension" of the Monroe doctrine to "the entire world" through the league of nations, and under the proposed constitution of the league Mexico might to be able to place herself in a position of entire immunity from just retaliation for her repudiation of all the principles and tenets of international honor.

The nations that might lodge protest against this confiscation would have their action marked out by article 17 of the league's constitution—an invitation to Mexico to become a member of the league on equal terms for the purposes of the dispute. Parties to the dispute under article 12 would then have an undetermined or "reasonable" length of time for the presentation of their arguments to the executive council of the league. The council would have six months within which to make "recommendations," from which Mexico at any time within three months thereafter may appeal to the league as a whole. More than double the time already consumed might be expected to elapse before any tangible result could be looked for from such an appeal.

In the event that the award finally went against Mexico, the executive council under article 13 could then vaguely propose "what steps can best be taken to give effect thereto" if Mexico should decline to abide by such decision. And although such action on the part of Mexico might be treated as an act of war the penalty affixed would be not war, but severance of trade relations, prohibition of all intercourse with league States—boycott and isolation.

And the effect of such isolation? Why simply this, that Mexico with her stolen oil fields and other foreign properties could trade freely with any nonmember of the league—Germany, for instance—and everybody except members of the league of nations would be happy and prosperous therefrom.

Or if Mexico should accept the award after a lapse of probably more than a year, millions of barrels of oil and other products would have been taken from these properties of American, British, and French owners and disposed of. The value of two years' production of Mexican oil alone is more than $50,000,000. Mexico is now unable to pay even interest on her bonds. How could she be forced to pay this larger sum to compensate the American, British, and French owners after they had been successful in the litigation?

But suppose Mexico decides not to become a member of the league of nations or, which is more probable for one reason or another, self-respecting nations, members of the league, decline to accept, as they properly should, an outlawed and morally bankrupt nation on terms of equality. The United States, being a member of the league along with Great Britain and France, would have abrogated its right, until now internationally conceded, to special influence and consideration in dealing with the affairs of the Western Hemisphere. Great Britain has $321,302,800 tied up in Mexican investments, more than half of which involve oil properties which the Mexican Government now is seeking to confiscate. In addition, she is largely interested in the $500,000,000 budget of damage claims against the Mexican Government. France is similarly concerned, as are Holland and Italy. And while the combined financial interests of these Governments in Mexico are less than one-half as great as the interest of the United States, their voting strength in the league of nations under the proposed constitution, in dealing with this question, would be in the ratio of 4 to 1 when compared with ours, for the natural desire of Japan previously demonstrated, to encourage any invasion of our superior rights in this hemisphere, must be considered as a probable factor against us.

Suppose, then, that Great Britain, assured of the moral support of France, Italy, and Japan, should start coercive measures against Mexico in an effort, real or ostensible, to force a settlement of her claims.

Mexico not being a member of the league, nor acceptable as such by the powers thus arrayed against her, what would be the situation of the United States? Where, then, would be that plausible "extension of the Monroe doctrine to the entire world"? What would prevent the blockade by Great Britain of Mexican ports and the seizure by the same power of her customhouses?

In view of the half-bandit, half-Bolshevik Government which we have suffered to drag Mexico to ruin and collapse since 1910, in view of the financial bankruptcy and political chaos from which this Mexican Government has proven itself utterly incapable of emerging, might not Great Britain find plausible arguments which would justify her, in the view of her sisters in interest—France, Italy, and Japan—in retaining control of the finances and commerce, and through them the very domestic affairs of Mexico for an indefinite term of years on the pretext of collecting damages due and for the protection of the interests of her nationals?

And, Woodrow Wilson to the contrary notwithstanding, honest men the world over do not quarrel with that Government which protects its nationals abroad.

There you have in all its baldness an application of the "extension of the Monroe doctrine to the entire world."

Could any political camouflage be more pernicious in its subversion of our national interests?

Could any proposal be more un-American?

Can you imagine a Washington, a Lincoln, a Cleveland, or a Roosevelt suggesting such a policy?

The last words of the last message of Theodore Roosevelt to the American people, printed after his death, will never be forgotten, I hope, when the league of nations or the Mexican situation is under discussion:

> We have enough to do that is our business. Mexico is our Balkan Peninsula, and during the last five years, thanks largely to Mr. Wilson's able assistance, it has been reduced to a condition as hideous as that of the Balkan Peninsula under Turkish rule. We are in honor bound to remedy this wrong and to keep ourselves so prepared that the Monroe doctrine, especially as regards the lands in any way controlling the approach to the Panama Canal, shall be accepted as immutable international law.

While the United States and her associates—France, Italy, and Great Britain—were in the throes of a death struggle with Germany, was this "friendly" government of First Chief Carranza, to which we had recently accredited an ambassador as a mark of our especial favor and confidence, was this Government aiding us in the saving of civilization from the worst catastrophe the world has ever been called upon to face?

Most emphatically she was not; on the contrary, she was not even decently neutral. She was helping the Hun; daily her "first chief" basked in the false sunshine of German influence; sought counsel from German Minister Von Eckardt, to whose sinister intrigues was assigned the consummation of the plan exposed in the Zimmermann correspondence—to effect a Mexican-German-Japanese alliance for the invasion of the United States from Mexican soil.

What beautifully polished, carefully phrased denial from such a source will ever convince thinking men and women that First Chief Carranza was ignorant of the plan which Von Eckardt's foreign office had instructed him to "put over" immediately

after the expected declaration of war on Germany by the United States? Who will believe that Carranza had not discussed, considered, and tacitly accepted this plan until publication of the Zimmermann correspondence robbed it of its secrecy and hope of success?

Who will doubt, if he can draw intelligent conclusions from cold, unpleasant facts, that the outrages, political interferences, and administrative persecutions, under which American and British oil producers were laboring, were conceived by Von Eckardt and suggested to Carranza as a means of impeding and ultimately, through the operation of article 27 of the new Mexican constitution, cutting off entirely the supply of fuel oil upon which American and British Navies and merchant ships were depending to win the war?

The United States entered the war on April 6, 1917. It had been apparent for months that she could not long postpone such action. On May 1, 1917, the new Mexican constitution was made operative by decree of Carranza. I have already referred to article 27 of that remarkable document.

At the risk of being considered tedious, and because I desire to deal as comprehensively as is practicable at the present time with this particular phase of the Mexican situation, I shall quote at some length from the report on "The Mexican oil situation," issued in mimeograph form to the press under date of October 7, 1918, by the Bureau of Foreign and Domestic Commerce of the Department of Commerce. This is a really remarkable document, because in its fairness and single-minded justice to persecuted American interests in Mexico it is so repugnant to the oft-enunciated Mexican policy of the State Department as to suggest the thought that some one must have risked his official "place in the sun" to write and issue it. I quote from this report:

THE MEXICAN OIL SITUATION.

Our Navy, our merchant marine, our Army, and the various industries which are so essential to the prosecution of the war all demand oil, and Mexico is an important source of oil supply. It is with particular concern, therefore, that the American people are watching for any development in regard to the status of oil properties in that country.

OIL LEGISLATION IN MEXICO.

A report issued August 25, 1918, by the executive department of the Mexican Government (informe con justificacion que rinde el ejecutive de la union, etc.), states the present attitude of Mexico very plainly. How far this will be modified, as a result of the pending suits contesting the validity of the recent Mexican decrees of February 19, July 31, and August 12, 1918, remains to be seen. This report of August 25 is really a brief for the defense in reply to the demand, made in due form by the petroleum companies through the Mexican courts, for a writ of "amparo," a special form of relief from the decrees of February 19, July 31, and August 12, which require "manifests" to be filed by oil companies, and impose certain "rentals" and "royalties." Vested rights are particularly threatened in article 27 of the new Mexican constitution of 1917, which expressly forbids any but Mexican companies to acquire directly or operate directly petroleum lands in Mexico.

On pages 7 and 8 of the August 25 report it is claimed that article 27 of the new constitution is merely a resumption of the ancient right of "eminent domain," which, it is maintained, gives to Mexico perpetually the "direct ownership" of the subsoil. Consequently any past Mexican legislation or contracts consummated according to such legislation, which made oil deposits the property of individuals, would have to be considered null and void. In other words, it is idle (p. 22) "to hold against the State the existence of contracts * * * anterior to the constitution." "Nor is there reason in this case (p. 20) for an indemnity."

Article 14, however, of the new constitution declares that "no law shall be given retroactive effect to the prejudice of any person." That petroleum properties were legally recognized in 1884, 1892, and 1909 is a mere matter of Mexican legislative history, however it may be at variance with the recent plan of "nationalisation." This may be seen by the following excerpts from the Mexican mining laws immediately preceding the new constitution, article 14 of which precludes retroactive effect.

Article 10 of the Mexican mining law of November 22, 1884, states that "the following substances are the exclusive property of the owner of the land, who may, therefore, develop and enjoy them without the formality of claim (denuncio) or special adjudication * * * petroleum and gaseous springs," etc.

The mining law of June 4, 1892, states that "the owner of land may freely work, without a special franchise in any case whatsoever, the following substances: Mineral fuels, oils, and mineral water," etc.

The mining law of November 25, 1909, effective January 1, 1910, states, in article 2, that "the following are the property of the owner of the soil: 1. Ore bodies or deposits of mineral fuels, of whatever form or variety," etc.

Article 27, however, of the Mexican constitution of 1917, states that "in the nation is vested direct ownership of * * * petroleum and all hydrocarbons—solid, liquid, or gaseous"; also that "only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property and accordingly not to invoke the protection of their Government in respect to the same, under penalty in case of breach of forfeiture to the nation of property so acquired."

On February 19, July 31, and August 12, 1918, decrees were issued making it necessary, under penalties of confiscation, for all companies owning or leasing oil lands in Mexico to file new "manifests" or properties already duly registered, which "manifests" apparently constitute the first step in the "nationalization" of petroleum in Mexico. In addition to the new registry, taxes referred to as "rentals" and "royalties" were imposed, which terms in themselves concede the national ownership mentioned in article 27 of the constitution. Continued operation of oil lands is conditioned upon "contracts" with the Government, these contracts to be fixed by regulations yet to be issued. The failure of the oil companies to file the "manifests" according to requirements resulted in a modification of the stringency of the decree of February 19 with regard to confiscation. The export tax of 10 per cent ad valorem, moreover, after being made nearly twice as heavy for July and August as for the two preceding months, has recently been reduced by the placing of lower valuations upon the petroleum to be taxed. * * *

Such is a brief statement of the significant facts. To this must be added, together with the protests of England, Holland, and France, the protest issued by the United States through Ambassador Fletcher on April 2, 1918, which declares that "the United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights."

OUR NEED FOR PETROLEUM.

The demands of the war for fuel oil are constantly increasing. According to the United States Geological Survey reports for the first six months of 1918, United States petroleum stocks were reduced between January 1 and July 1, 1918, by 8,034,635 barrels (of 42 gallons each), which amounts to over 63,000 barrels daily. United States stocks on hand July 1, 1918, were 142,044,235 barrels, as against 165,179,183 barrels on July 1, 1917. With 3,000,000 tons of shipping to be released this year, much of it designed for fuel oil consumption, and a prospect of 8,000,000 tons for next year, the significance of the Mexican oil fields as a source of supply assumes unusual importance. A further extension of the "gasless Sunday" principle, of course, approaches the problem in another fashion.

MEXICAN OIL AS A FACTOR IN OUR PRESENT REQUIREMENTS.

The world's production of petroleum for 1917 was 503,708,000 barrels. To this amount the nine leading producing countries contributed as follows:

	Barrels.
United States (marketed)	340,000,000
Russia	65,000,000
Mexico	55,293,000
Dutch East Indies	14,000,000
India	8,500,000
Roumania	6,500,000
Galicia	5,500,000
Japan and Formosa	2,800,000
Peru	2,500,000

Mexico thus stands easily third as a producer, but, with Russian and other supplies cut off, and with a depletion of United States stocks amounting to 63,000 barrels daily, our interest in the Mexican output is obvious.

* * * * * * *

AMERICAN CAPITAL IN MEXICAN OIL.

The total foreign investments in Mexico, according to Commerce Reports for July 18, 1912 (see Latin American Circular No. 41), amounted at that date to $1,641,054,180, distributed as follows:

American	$1,057,770,000
English	321,302,800
French	143,446,000
Various	118,535,380

The American total lay chiefly in railroads, mining interests, bonds, bank deposits, and oil. Recent estimates put the amount of British and American capital invested in Mexican oil at $300,000,000, of which $200,000,000 is American. Among the prominent companies represented, either in production or in refining, are the Mexican Petroleum Co. (Doheny interests), one of whose subsidiaries is in the Huasteca Co.; the Mexican Eagle Oil Co. (Lord Cowdray interests); the Royal Dutch Shell Co. (in which British as well as Dutch interests figure largely); the East Coast Oil Co.; the Pennsylvania-Mexican Co.; the Pierce Oil Corporation (which took over in 1913 the Waters-Pierce Oil Co.); the Standard Oil Co. of New Jersey; the Atlantic Oil Refining Co.; the Freeport and Tampico Fuel Oil Corporation; and the Texas Co.

The most interesting point about the American companies is that, apparently, not one of them has ever obtained a "concession" of land from the Mexican Government. Their contracts of purchase or lease, it is stated, have in every case been made with private owners, who held titles extending back often for more than 250 years.

* * * * * * *

CONCLUSION.

The successful prosecution of the present war as well as the future of American commerce depends upon our shipping facilities. An increasing number of our merchant vessels and of our battleships will be demanding large supplies of fuel oil. According to a bulletin just issued by the Smithsonian Institution, the available supply of petroleum underground in the United States is hardly adequate as a reserve. Since, then, we must turn to Mexico as one of our important sources of supply the oil situation in that country becomes an issue in which we are all concerned

In its bearing upon our future commercial relations with Latin America, the status of our investments in Mexico involves far-reaching possibilities. If all our foreign investments were to be transferred from the state of property duly acquired, with guaranties of permanence, such as occur in the Mexican mining laws of 1884, 1892, and 1909, to the state of temporary concessions, requiring renewal from time to time by contracts, in the wording of which we have no share, we should face an unprecedented situation. Our commercial relations, not only with Mexico but with all of Latin America, depend upon mutual confidence. The liberal supplies which the United States has granted to Mexico, together with Ambassador Fletcher's note of April 2, constitute our side of the present case. A signal factor, however, will be the decision of the Mexican courts upon the suits now in progress.

Of course, the only "conclusion" which the diplomatic sense of the writer—or was it the State Department censor—would permit is that if these things are true, as the writer says they are true, "we should face an unprecedented situation." But even so, we should be grateful, either for the courage shown by the writer of that report or the indulgent forbearance shown by the State Department in permitting even this abbreviated breath of fresh air to penetrate our bedrugged and befuddled sense of national responsibility; to seep through the wearisome wreckage of a Mexican policy conceived in stupidity, based on a repudiation of our national honor, and supported by a popular

Ignorance for which the administration in large part has been responsible.

No doubt, had the freedom of action of the writer of this report been commensurate with his intelligence, he would have described this "unprecedented situation" in all its naked truth. But let us be grateful that he has been permitted to go so far.

Now, why are these facts—these stories of murderous outrages against American citizens and attempts by government illegally to confiscate their property in Mexico—brought before the American people virtually for the first time? Why only now are the people of the United States permitted to learn that their Department of State, at the behest of President Wilson, has sat back, with hands placidly folded, and permitted these and other outrages against our national self-respect to go unpunished and virtually unprotested? And what does the fact that these conditions are now permitted to be made known imply?

It means only this, that the policy of "hush" which the Department of State has imposed not only on public men but on the press of the country "to win the war" no longer will hold water. It means that the wrongs of our citizens in Mexico, who have suffered indignities and death in order to keep our warships supplied with fuel oil, who have walked unarmed and unprotected among armed bandits in a hostile land to help "win the war," now cry for redress in a voice that even the diplomatic "hush" of the Department of State no longer can keep from the ears of their fellow citizens at home.

It means that the time has come when this Government, gathering around it such tattered shreds of self-respect as our Mexican policy of eight years has left us, and which only our heroic course in the great war preserved from final and absolute extinction, must say to all foreign Governments, wheresoever they may be:

Whosoever attacks the life, property, and well-being of an American citizen attacks the American flag. Whosoever attacks the American flag, let him beware. The American people know only one answer; that given to the Imperial German Government, WHICH IS NO MORE.

I say, as would have my forbears: He who will not subscribe to that sentiment repudiates the proud title "American."

Americanizing the People of the District of Columbia.

EXTENSION OF REMARKS

OF

HON. RICHARD W. AUSTIN.

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. AUSTIN. Mr. Speaker, I submit facts and figures in support of House joint resolution 73, introduced by me, which proposes an amendment to the Constitution empowering Congress to give representation in House, Senate, and electoral college to residents of the District of Columbia. It reads as follows:

[Sixty-fifth Congress, first session, H. J. Res. 73; S. J. Res. 64.]

IN THE HOUSE OF REPRESENTATIVES,

April 28, 1917.

Mr. AUSTIN introduced the following joint resolution, which was referred to the Committee on the Judiciary and ordered to be printed.

Introduced by Mr. CHAMBERLAIN in the Senate, May 11, 1917, and referred to the Committee on the District of Columbia.

Joint resolution proposing an amendment to the Constitution of the United States giving to Congress the power to extend the right of suffrage to residents of the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be proposed for ratification by the legislatures of the several States, which, when ratified by the legislatures of three-fourths of the States, shall be valid as a part of said Constitution, namely, insert at the end of section 3, Article IV, the following words:

"The Congress shall have power to admit to the status of citizens of a State the residents of the District constituting the seat of the Government of the United States, created by Article I, section 8, for the purpose of representation in the Congress and among the electors of President and Vice President and for the purpose of suing and being sued in the courts of the United States under the provisions of Article III, section 2.

"When the Congress shall exercise this power the residents of such District shall be entitled to elect one or two Senators as determined by the Congress, Representatives in the House according to their numbers as determined by the decennial enumeration, and presidential electors equal in number to their aggregate representation in the House and Senate.

"The Congress shall provide by law the qualifications of voters and the time and manner of choosing the Senator or Senators, the Representative or Representatives, and the electors herein authorized.

"The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing power."

DISTRICT WANTS NATIONAL REPRESENTATION.

While the people of the District differ widely concerning the best form of local government, they very largely agree in petitioning for national representation under the proposed constitutional amendment.

Washington, released from its war-time obligation to think solely of national service and sacrifice to help to win the war, is permitted to think and speak again for itself. And its first and most earnest petition is for Americanization, for representation, like other American communities, in Congress and the Electoral College.

Its first petition is for national representation, because it believes that through exercise of the power which such representation will give all other good things municipal that are strongly desired will be added to it.

This note is sounded in all the citizens' organizations as they resume their winter activities. The board of trade, the chamber of commerce, the Federation of Citizens' Associations, the Central Labor Union, and many other citizens' organizations have put on record their appreciation of the fact that the psychological moment approaches for a determined and united campaign to carry through Congress and the State legislatures the pending constitutional amendment, empowering Congress to grant representation to the District in Congress and the Electoral College.

Nearly all of the citizens' organizations of Washington, large and small, cooperate in the organization of the joint citizens' committee on national representation for the District of Columbia.

The organizations represented in the joint committee are as follows: Board of trade; chamber of commerce; Federation of Citizens' Associations, representing 30 sectional citizens' associations; Central Labor Union, representing 72 local unions and 6 local auxiliaries; Retail Merchants' Association; Monday Evening Club; Bar Association; Association of Oldest Inhabitants; District Delegate Association; Real Estate Brokers' Association; citizens' associations not represented in the federation, including Columbia Heights, East Washington, Georgetown, Northeast Washington, South Washington, and Southwest Citizens' Association; Citizens' Community of Forty in Favor of Popular Government for the District of Columbia; Twentieth Century Club.

Cooperating organizations: The local branch of the National American Woman's Suffrage Association and the American Federation of Labor.

At a recent conference of prominent representatives of the citizens' organizations represented in the citizens' joint committee on national representation for the District of Columbia it was resolved unanimously by a rising vote that the joint committee's campaign for national representation, checked by the war, should be renewed vigorously, and should be pushed promptly, earnestly, and steadily before the incoming Congress. Among those who participated in this conference were Walter A. Brown, president of the Board of Trade; Robert N. Harper, president of the Chamber of Commerce; W. B. Westlake, president Federation Citizens' Associations; Harry S. Hollohan, president Central Labor Union; C. J. Columbus, secretary Merchants' and Manufacturers' Association; Theodore W. Noyes, chairman citizens' joint committee; Louis Ottenberg, secretary citizens' joint committee; H. B. F. Macfarland, acting chairman committee on brief; A. Leftwich Sinclair, chairman committee on speakers; John Joy Edson, chairman committee on print publicity; W. T. Galliher, chairman finance committee; Albert Schulteis, chairman Chamber of Commerce national representation committee; E. C. Brandenburg, chairman campaign committee, Board of Trade; G. F. Bowerman, chairman campaign committee, Monday Evening Club; C. S. Shreve, vice chairman citizens' joint committee; Chapin Brown; E. C. Colladay; and ex-Representative James T. Lloyd.

The working committees of the joint committee are getting ready energetically for the campaign in the next Congress. Mr. A. S. Worthington, the chairman of the brief committee, is recovering from illness in Florida. The vice chairman of the committee, Mr. H. B. F. Macfarland, is serving as acting chairman, and this committee, intrusted with the preparation of the District's case for presentation at hearings before the congressional committees to which the constitutional amendment is to be referred, met on Monday at Mr. Macfarland's office and divided up the work of brief preparation, and this work is being vigorously pushed. This committee expects to be ready to present the District's case to Congress whenever the

special session of the new Congress may be called. The members of this committee are as follows:

A. S. Worthington, chairman; H. B. F. Macfarland, vice chairman; H. H. Glassie, E. C. Brandenburg, Chapin Brown, E. F. Colladay, A. Leftwich Sinclair, John B. Larner, W. McK. Clayton, Theodore W. Noyes.

The historical and statistical data concerning the political status of Washington necessary for the preparation of the District's case are being gathered and formulated by a committee consisting of—

John B. Larner, chairman; W. B. Bryan, historian, vice chairman; Le Verne Bealcs, statistician, vice chairman; Allen C. Clark, William V. Cox, George F. Bowerman, J. Harry Shannon, James Hugh Keeley, A. M. Fisher.

This committee on historical and statistical facts, which functions in intimate association with the committee on brief, has already done valuable work. The committee met on Friday at Mr. Larner's office and renewed and broadened its labors. It will bring the statistical matter which it has collected thoroughly up to date.

For the presentation of the District's case to individual Members of Congress, to the Capital community, and to the country at large the working committees are the committee on speakers, A. Leftwich Sinclair, chairman; print publicity, John Joy Edson, chairman; and the outside campaign council, which is now being organized. Meetings of these committees are arranged for next week; also a metting of the finance committee, of which W. T. Galliher is chairman, and the other members of which are the presidents of the Board of Trade, the Chamber of Commerce, the Federation of Citizens' Associations, the Central Labor Union, the Merchants' and Manufacturers' Association, and the Monday Evening Club.

CITIZENS' JOINT COMMITTEE ON NATIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA.

The organizations represented in the joint committee on national representation for the District of Columbia are as follows:

Board of trade, 1,625 members.

Chamber of commerce, 1,200 members.

Federation of Citizens' Associations, representing 30 sectional citizens' associations, as follows:

Anacostia, Benning-Kenilworth, Brightwood Park, Brightwood, Central Northwest, Central, Chevy Chase, Chillum, Castle-Woodburn, Citizens' Northwest Suburban, Cleveland Park School-Community, Congress Heights Public Improvement, Conduit Road, Connecticut Avenue, Lincoln Park, Midcity, Mount Pleasant, North Capitol and Eckington, North Washington, Park View, Petworth, Piney Branch, Randle Highlands, Rhode Island Avenue Suburban, Rock Creek Ford, Southeast, Takoma Park, West End, Washington Civic Association, Washington Society of Fine Arts, and American Institute of Fine Arts. These associations cover nearly the entire District, with an aggregate membership (estimated) of 7,500. Many of these sectional associations have, in addition to participation through the federation, separately indorsed District national representation through constitutional amendment and have appointed cooperating campaign committees.

Central Labor Union, representing 72 local unions and 6 local auxiliaries, with aggregate membership (estimated) of 48,000; Retail Merchants' Association, Monday Evening Club, Bar Association, Association of Oldest Inhabitants, District Delegate Association, Real Estate Brokers' Association.

Citizens' associations not represented in the federation, including Columbia Heights, East Washington, Georgetown, Northeast Washington, South Washington, and Southwest Citizens' Association.

Citizens' Committee of Forty in Favor of Popular Government for the District of Columbia.

Twentieth Century Club.

COOPERATING ORGANIZATIONS.

The local branch of the National American Woman's Suffrage Association.

The American Federation of Labor.

EXECUTIVE COMMITTEE.

Officers joint committee: Chairman, Theodore W. Noyes; first vice chairman, John Joy Edson; second vice chairman, A. Leftwich Sinclair; third vice chairman, Charles S. Shreve; treasurer, Robert N. Harper; secretary, Louis Ottenberg; Ross P. Andrews, George F. Bowerman, E. C. Brandenburg, Chapin Brown, William Clabaugh, Roy C. Claflin, William McK. Clayton, E. E. Clement, E. F. Colladay, John F. Costello, C. F. Crane, Jesse P. Crawford, J. Harry Cunningham, Samuel de Nedry, John B. Dickman, Hugh D. Digney, John Dolph, W. T. Galliher, H. H. Glassie, C. J. Gockeler, Earl Godwin, William F. Gude, James Hugh Keeley, Wilton J. Lambert, John B. Larner, M. A. Leese, James T. Lloyd, A. T. Macdonald, H. B. F. Macfarland, Arthur Marks, P. T. Moran, Mrs. Ellen Spencer Mussey, E. W. Oyster, James F. Oyster, Fred J. Rice, George H. Russell, Albert Schulteis, George G. Selbold, Odell S. Smith, Corcoran Thom, Washington Topham, A. S. Worthington, Walter A. Brown, Joseph A. Berberich, W. B. Westlake, H. S. Holloban, C. J. Columbus, J. Wilmer Latimer, and D. J. Kaufman.

Honorary members: Ex-Senator Henry W. Blair and Justice Wendell Phillips Stafford.

The District's plea for national representation is condensedly stated in the following circular:

AMERICANIZE WASHINGTONIANS.

The 403,000 Americans of the District constitute the only community in all the expanse of the continental United States—populous, intelligent, public-spirited, of adequate resources—which is denied representation in the National Government.

As a suitor in the courts of the United States the District resident has, the Supreme Court says, a lower standing than an alien.

TO OBEY, TO PAY, TO FIGHT.

In relation to national laws the sole function of the District residents is to obey. They take no part in making the laws which they must obey.

In relation to national taxes their sole function is to pay. They have nothing to say, like other taxpayers, concerning the amount and kind of taxes they shall pay and how the tax money shall be spent.

In relation to national war their sole function is to fight in obedience to command. They have no voice, like other Americans, in the councils which determine war or peace. They have no representation in the Government which requires them to fight, to bleed, and perhaps to die.

National representation is a distinctive, basic right of the American citizen—in a Government of the people, by the people, for the people; in a Government which roots its justice in consent of the governed; in a representative Government which inseparably couples taxation and arms bearing as a soldier with representation.

Since the 400,000 Americans of the District pay national taxes, obey national laws, and go to war in the Nation's defense, they are entitled on American principles to be represented in the National Government which taxes them, which makes all laws for them, and which sends them to war.

NOT TO DISTURB NATIONAL CONTROL.

The constitutional amendment which we urge empowers Congress to correct this inequity without disturbing in the slightest national control of the Capital or the present form of municipal government. Congress retains every power in these respects that it now possesses. All that happens will be that the District becomes a small fractional part of that Congress, and politically an integral part of the Nation which that Congress represents.

National representation will clothe the Washingtonian with a vital American privilege, to which he is undeniably in equity entitled, will cleanse him of the stigma and stain of un-Americanism, and, curing his political impotency, will arm him with a certain power.

It will relieve the Nation of the shame of un-Americanism at its heart and of impotency to cure this evil.

It will inflict no injury or hardship upon either Nation or Capital to counteract these benefits.

Consistency and justice, national pride and self-respect, the will to efface a shameful blot from the national escutcheon, the spirit of true Americanism and righteous hatred of autocracy in any guise, the patriotic impulse toward full preparedness of the Nation as a champion of democracy and representative government everywhere in the world—all combine to make irresistible at this very moment our appeal for the adoption of this amendment.

ANALYSIS OF PROPOSED CONSTITUTIONAL AMENDMENT.

It is to be noted first that it is not proposed that the Constitution as amended shall give national representation directly and immediately to the District. The amendment merely empowers Congress in its discretion to give us this representation, and provides the machinery and supplementary powers which will be necessary when Congress decides to exercise this power.

Why does the District modestly ask so little? In order that it may not in the end secure nothing.

A constitutional amendment has a long road and a hard road to travel. It must run the gantlet of two-thirds of Congress and three-fourths of the State legislatures. The burden which it carries must be reduced to a minimum.

The joint resolution effects the vital essential of the ideal constitutional amendment. Nothing whatever should be sought through a two-thirds vote of Congress and a three-fourths vote of the States which can be secured through a majority vote of Congress. An absolute minimum of alteration of the Constitution, effecting only the vitally necessary change, should be proposed by amendment.

The proposed amendment does not directly and immediately give to Washingtonians national representation, but it takes that vital privilege from inaccessibility and places it within reach. After its adoption only a majority vote of Congress will be required to do equity in this matter, whereas now a two-thirds vote of Congress and a three-fourths vote of the State legislatures are necessary.

Its sole effect is to remedy an acknowledged evil and to do equity by empowering Congress to declare the political and judicial status of the residents of the seat of government.

All of the controverted issues concerning the make-up of the local electorate, the qualifications of voters, and the form of local government, upon which both Washingtonians and our national legislators radically differ among themselves, are postponed to be decided by the majority vote of Congress after the great and vital question of the constitutional status of the Washingtonian has been answered.

A proposed constitutional amendment affecting the District is doomed to defeat which provokes the active opposition of either Democrats or Republicans; of progressives, conservatives, or reactionaries; of prohibitionists or antiprohibitionists; of those for or against a liquor referendum or any other kind of referendum; of those who either favor or oppose votes for women; of those who advocate or oppose an educational or property qualification for voters; of those who favor or condemn a change in the form of local government; of single taxers or antisingle taxers; of champions or belittlers of the half-and-half law; and of those who either advocate or abominate the "new nationalizing" of Washington.

In short, any active group of Americans sufficiently strong to be able to influence one-third of either House of Congress can defeat this constitutional amendment.

The proposition, however, is now so stripped of every strife-breeding feature and so centered upon a single principle of undeniable equity that all of Washington can enthusiastically get behind it and push it to success. It is so worded as to reduce to a minimum opposition to its immediate passage.

NO DECREASE OF POWER OF CONGRESS.

The proposed constitutional amendment giving Congress power to grant national representation to the residents of the seat of Government—in respect to whom it already has the power to exercise exclusive legislation—does not lessen but increases the power of Congress. It extends on natural, logical, and equitable lines an existing power of Congress.

This provision is appropriately inserted at the end of section 3, Article IV, of the Constitution, which gives to Congress power to admit new States and to make all needful regulations respecting the territory belonging to the United States from which these new States are carved. It is under this section that new Senators, Representatives, and Territorial Delegates come to the Capitol. The three political subdivisions of the United States under the Constitution are States, Territories—incipient States—and the District constituting the seat of Government of the United States. When the proposed amendment is adopted this section will be rounded out and perfected and the power of Congress in respect to national representation will be equitably extended to all three of the parts into which the United States was thus in the beginning in effect divided.

The Constitution does not define the political status of the future population of "such District—not exceeding 10 miles square—as may by cession of particular States and the acceptance of Congress become the seat of the Government of the United States." Nor does it explicitly and undeniably give the power to Congress to define or change this status so that it shall approximate gradually the status of the citizens of a State.

IN STATUS LESS THAN ALIENS.

It has resulted from this unintentional omission or oversight that the residents of "such District" have a standing as suitors in the courts of the United States which the Supreme Court has said is less than that of aliens, and a relation to participation in national legislation and presidential elections which is the same as that of aliens.

It was not intended that "such District" should remain uninhabited. The United States advertised its Washington lots for sale not only in the Republic but in Europe, and attracted settlers and lot purchasers here by glowing assurances. George Washington predicted that the Capital's population would in a century be certainly exceeded only by that of London. It was not intended that these inhabitants should be from any point of view permanently aliens.

It was not intended that the people of the Capital should forever remain politically outside of the United States, no matter what the number and character of the population. Sympathetic commiseration of the District's lack of national representation has been expressed in Congress and the White House at intervals from 1800 down to the present day.

When it had only the population and resources which entitled its people to the nominal representation of a territorial delegate, a voteless legislative agent in the House, not contemplated by the Constitution, that representation was vigorously urged by President Jackson, was heartily seconded by President Johnson, and was given under President Grant.

DISTRICT NATIONAL REPRESENTATION.

The words of these Presidents and of a long series of national legislators and other statesmen, who argued forcibly and convincingly for Territorial representation for the few residents of the District in their time, are to-day equally sound and convincing arguments for full national representation for the present District. In 1919 genuine and equitable American representation for the residents of the seat of government approximates their status to that of citizens of a State and not of a Territory. A voteless, almost negligible, Territorial Delegate is obviously inadequate.

The seat of government of the United States now has an intelligent, American, public-spirited population exceeding that in 1910—the latest national census—of six of the States—Nevada, Wyoming, Delaware, Arizona, Idaho, and New Mexico. Its population then was 331,069. It was shown by the last police census to approximate 400,000. Including the army of new war workers, it is half a million to-day. The population represented under the latest apportionment by each Representative in the House is 212,407.

The time has now come when the Nation should by constitutional amendment either give direct to the residents of the seat of government the status of citizens of a State for the purpose of national representation only, or should at least, as proposed by our pending constitutional amendment, give to Congress the power to declare, in its discretion, when they shall have this status to the extent of enjoying this national representation.

WHAT IT DOES AND WHAT IT DOES NOT.

The constitutional amendment which Washington urges (H. J. Res. 73 and S. J. Res. 64) does not propose the admission of the District of Columbia into the Union as a sovereign State; it does not propose the destruction of the "10-miles-square" provision of the Constitution; it does not lessen in the smallest degree the control by the Nation of the "10 miles square."

It does not disturb in any way the financial relation of Nation and Capital. It is not based upon either the abolition or the retention of the half-and-half law.

It is not complicated with changes in the municipal government of the District in respect to which Washingtonians widely and radically differ.

It repeals nothing; it destroys nothing. It alarms no one, alienates no one, wounds nobody's sensitiveness.

WHAT THE AMENDMENT DOES.

This constitutional amendment assumes that the Nation will continue to control its Capital through Congress and asserts that the time is close at hand when the people of the Capital should be represented in that Congress. The 10-miles-square provision of the Constitution sets up a peculiar political entity—not a State, not a Territory—under the exclusive control of the Nation. This amendment is supplementary to the 10-miles-square provision. It says, in effect, that after a century of increase and development the Americans collected in the seat of government, entitled at all times to every American right and privilege consistent with continued national control of the Capital, are now or soon will be entitled to representation in the National Government.

It enables Congress to make Americans of a community of 400,000 people who are now politically aliens and to naturalize for the purpose of representation in the National Government a city slightly larger than Minneapolis and slightly smaller than New Orleans.

The constitutional provision establishing the 10 miles square is responsible for the monstrous paradox of unrepresentative government at the Capital of the great Republic. This constitutional amendment will ultimately correct it.

Our proposed legislation is supplementary to existing law, adapting the latter better to the conditions and needs of to-day. It is thoroughly constructive. It is not in the smallest particular destructive.

It leaves undisturbed and confirms the national control of the Nation's city and the corresponding national obligation of adequate financial participation in the maintenance and upbuilding of the National Capital. The act of 1878 and the exclusive legislation clause of the Constitution are alike untouched.

It enables Congress to make American citizens of the people of this community, giving them effective representation in Congress, their local and national legislature, which may deprive them of their property by taxation, and of life or limb by sending them to war. Such representation is not inconsistent with the exclusive power of legislation concerning the District possessed by Congress. On the contrary, such representation is the more essential since Congress is not only Washington's national legislature but its municipal and State legislature. The effect of this amendment is not to admit the District into the Union as a State but to enable Congress to give to the 400,000 Americans residing in the 10 miles square under the exclusive control of Congress the same representation as citizens of a State in Congress and the Electoral College.

A NEW POLITICAL STATUS.

Not a new State but a new political status is to be evolved. This amendment operates as a supplement of the 10-miles-square provision, empowering Congress to define explicitly, in view of the changes of more than a century, the political status of the residents of the Federal District. It will alter the existing law of congressional and Electoral College representation and will create a new American constituency with representation in Congress and the Electoral College; not a new State but a politically uplifted District of Columbia, an enfranchised 10 miles square already created and made unique by the Constitution. This new factor in our scheme of National Government representation may be unusual, peculiar, extraordinary; but it is not so unusual, peculiar, and extraordinary as the original creation and present-day retention by the great Republic of the totally unrep-

resented 10 miles square, the seat of government, a district physically within the United States, even containing its Capital, but politically outside of the United States.

The States uniting under the Constitution had the power, which they exercised, of creating this unique, unrepresented, Capital-containing, Nation-controlled District. Two-thirds of Congress and three-fourths of the States have the same power, which they should exercise, to give to the 400,000 people of this unique District an equally unique political status.

Who is there in all the world who does not think that the 400,000 Americans in the seat of government of the United States are entitled to representation in the Legislature which alone makes laws for them and taxes them and may send every man of them to war, perhaps to be wounded or killed? Who contends that these 400,000 Americans are not as intelligent, as patriotic, as public-spirited, as American, in short, as the same number of Americans anywhere else in the United States, or as the smaller number of Americans collected in six of the States?

What new State has ever been admitted to the Union which at the time of admission had so large, so intelligent, and so thoroughly American a population as the District? What new State at the time of admission, measured as to its taxable resources, was raising so much in local taxes and contributing so much in national taxes as the District of Columbia? The District to-day is contributing in national taxes, to be disbursed by a legislature in which it is not represented, a greater amount absolutely than 22 of the States and a greater amount per capita than 36 of the States.

STATEHOOD NOT DEMANDED.

Though the District can make this showing of fitness for admission to the Union as a sovereign State, no demand for such admission is presented. Our proposed legislation confirms the national control of the Nation's city and the exclusive legislation clause of the Constitution is untouched.

All that is asked is that the Constitution empower Congress to declare that residents of the seat of government are on the same footing as citizens of the States in relation only to Congress, the Electoral College, and the courts of the United States.

This action, though it will Americanize a community, now politically alien, which is larger than Minneapolis, and will empower Congress to enlarge the basis of congressional representation, does not bring into the Union a new sovereign State.

Surely Congress will not quibble or delay in cooperating to secure to itself by constitutional amendment the power to cure the evil and shame of completely nonrepresentative government in the seat of government of the great representative Republic. To accomplish this good end Congress ought not to hesitate to propose to the States this enlargement of its own powers. Surely Congress does not distrust itself.

The injury to the Nation from this condition is as great as that inflicted upon the de-Americanized community. The national shame is the greater.

IS THE NATION IMPOTENT?

It is sometimes suggested that the Nation is impotent to cure this evil and this shame; that the condition is unchangeable.

This suggestion is an insult to American character and capacity. No other capital of any other nation is degraded below other cities in national representation. No excuse is found in the fact that our Capital is in a nation-controlled district. Mexico and Brazil and Argentina have copied this feature of our Constitution. As nations they control, like the United States, federal districts in which their capitals are located, but they have not found themselves impotent to give full national representation to the residents of these capitals.

Is Washington in some way defective or tainted and unfit to stand on the same representative footing as Buenos Aires, Rio, or Mexico City?

Is the American Republic less devoted to the principles of representative government and less capable of enforcing them than Argentina, Brazil, or Mexico?

Who will confess permanent national impotency to free residents of the seat of government from the class of defective and delinquent Americans? Or to rid the Nation itself of a canker at the heart of the body politic, collecting alien matter, and threatening blood poisoning?

MAIN OBJECTIONS TO DISTRICT NATIONAL REPRESENTATION.

(1) Congress will not grant it without destroying the half-and-half provision of the act of 1878. The Nation will not do political equity without violating financial equity.

(2) The District voting constituency, on account of the percentage of its people with voting residence in the States and the colored percentage of the population, is and will be unfit for such national representation.

(1) The first objection is an undeserved slur upon Congress. (2) The second objection is an undeserved slur upon the people of Washington. (3) Neither objection applies at all to the pending constitutional amendment, which merely empowers Congress to grant national representation to the District when such action seems to Congress to be equitable and when in the opinion of Congress the people of the Capital are fit to be Americanized.

BOTH POLITICAL AND FINANCIAL EQUITY.

How can Congress defend a threat to withhold or violate financial equity if Washington successfully petitions to it for political equity? The recent fiscal investigation convinced Congress and the Nation that the local community was contributing not too little but more than its share to the maintenance and development of the Capital; that the Nation itself was contributing not too much but too little for the same purpose.

If we now proposed to destroy national control of the Capital through Congress and to transfer that control to a new sovereign State of Columbia, there might be force to the suggestion that as obligation goes with power the national obligation would cease if the national power over the Capital ceased. But District national representation by constitutional amendment does not in the slightest lessen national power and control in the District, and consequently does not reduce in the slightest the national obligation.

When the District secures voting representation in Congress it will simply become a small fractional part politically of the Nation which that Congress represents, and its half million people will be placed on equal terms in national representation at least with any other half million of Americans among the millions in the rest of the continental and contiguous United States.

We shall become through our representatives a part of Congress, but we shall take no power from that Congress. Since national power and the control in respect to the Capital are unimpaired, the national obligation to participate in maintenance and development of the National Capital is unimpaired also.

National representation for the District will furnish, therefore, no excuse for Congress to become a shirker and a slacker in respect to capital legislation and appropriation. Congress will control the Capital as before, and will be solely responsible for District legislation, whether or not the District is represented in it.

Representation in Congress will never be granted the District unless it is demonstrated to be an American vital privilege which, under all the conditions, equity demands. If its equity is thus demonstrated, will it not be an insult to impute to Congress the inconceivable meanness of refusing financial equity if political equity is successfully sought?

TWO EQUITIES HAND IN HAND.

Instead of being antagonistic the half-and-half plan and national representation for the District are sympathetic and supplemental. Both are manifestations of the spirit of "fair play for Washington." Both are rooted in the principle of a "square deal for the Capital." Equity for the Nation's city involves both financial equity and political equity, and the two equities go hand in hand.

Whatever one has in mind as beneficial to Washington, if it is to be secured from Congress, is brought nearer to realization by adoption of this amendment. For it prepares the way for Washingtonians to get voting power in a body in which they are now impotent; and their ability and their likelihood to secure any of this desired legislation will be infinitely enlarged.

It has been said that the political equity of national representation can not be enjoyed by the District without sacrifice of financial equity in its relation to the Nation. On the contrary, this political equity of national representation is the strongest and perhaps the only reliable guaranty of stability of the Nation in financial equity toward the people of the Capital. The half-and-half law is not disturbed in the slightest by national representation. Its continued existence is, on the other hand, guaranteed as long as it remains equitable; and when the time comes to frame a substitute for this law national representation will arm the District with power to cause the succeeding financial system to be based upon the principles of justice and wisdom in which the half-and-half law is rooted.

Thus national representation, instead of destroying the half-and-half law or the principle of financial equity upon which it is founded, will strengthen and confirm that principle, so vital to the Capital's welfare.

ARE WASHINGTONIANS DEFECTIVE AND UNFIT?

Slurs upon Washington's voting constituency of the past, recent or remote, have no application to the future voting constituency under the proposed constitutional amendment. The

only votes promised under this amendment are for Senators, Representatives, and presidential electors. If the resident of the District can vote for these officers in Washington, he will in almost every case elect to vote here instead of in a State. The class of Washingtonians with voting residence in the States will practically be emptied. It has been steadily dwindling, through restrictive State laws, through the local home-making tendency of the merit system, and, with the elimination of passes and rate concessions, through the increased expense of railroad transportation of voters to distant States. It will almost disappear if one may vote here for President and Congress.

With substantially all of our population voting in the District, a voting constituency results which is adequate in quantity and which is unsurpassed in quality in any State of the Union.

Our business and professional men, the educational, scientific, literary, and artistic elements of our population, our workingmen in public and private employ, our department clerks and other Government employees, our winter residents in process of conversion into Washingtonians, combine to constitute one of the strongest, most intelligent, most public spirited, and most American communities in the whole Republic.

What new State has ever been admitted to the Union which at the time of admission had so large, so intelligent, and so thoroughly American a population as the District? What new State at the time of admission, measured as to its taxable resources, was raising so much in local taxes and contributing so much in national taxes as the District?

The suggestion that the 26 per cent colored population of the District is unfit to vote, that this 26 per cent fraction of the voters will dominate the 74 per cent white vote, and that, as a final result, the whole voting constituency of the District becomes tainted, incurably defective, and delinquent, slurs with cruel injustice not merely the colored population but the whole Capital community, which is thus branded as un-American and impotent to set up a white man's government.

NOTE.—The percentage of colored population steadily decreases. The war growth of Washington has added more than 100,000 to the city's population, nearly all whites, and to the extent that the war population is retained in peace time (and experience shows that a large fraction of this war increase remains at the Capital) the colored percentage will be still further reduced.

This suggestion is based upon the assumption that the colored population of to-day has not developed since the first decade after the Civil War in education, in efficiency, in morality, or in Americanism. It ignores the fact that in contrast with the organized masses of foreign illiterates, disloyal and dangerous, that are herded in industries and at the polls in many other large American cities, the colored population here has creditably increased its percentage of literacy, has acquired small holdings of property aggregating a considerable amount, whose possession has made thousands of conservative, "safe and sane" colored citizens, and finally, in response to every test, has shown itself in the mass instinctively obedient to constituted authority and loyal to the Republic as citizens and soldiers.

This suggestion also assumes that no more whites of Washington will turn out to vote for President or Senator or Representative than voted for an impotent "feather-duster" legislature in the last century or in farcical elections for delegates to partisan presidential nominating conventions in this century. It assumes that the Washington white men can not in contention over any race issue hold their own against much less than half their number of colored men. It insults by the slur of inefficiency and unfitness a community which in peace and war has made an unsurpassed record of public spirit and of exalted Americanism in service, in patriotic devotion, and in full, hearty, and unstinted response to every demand of self-sacrifice made upon Americans.

In the light of Washington's fine war records, with which every one of us is familiar, and of which we all are proud, the moment is peculiarly inopportune to suggest that the 400,000 Americans of the Capital are the only Americans in the mainland United States who remain unfit for representation in their National Legislature, which makes national laws for them, imposes national taxes upon them, and sends them forth as national soldiers and sailors to fight, to bleed, and perhaps to die.

BOTH OBJECTIONS ARE IRRELEVANT.

But if this slur upon Washington, colored and white, were thoroughly deserved at this time, no reason would thereby be found to oppose the pending constitutional amendment. For this amendment does not directly and immediately admit the Washington defectives and delinquents to national representation. It merely empowers Congress in its discretion at some future time to admit District residents to the status of citizens of a State for the purpose of national representation, and also provides the machinery to be utilized when Congress wishes to exercise this power.

It does not take any power whatsoever from Congress. On the contrary, its only effect is to enlarge the powers of Congress.

Congress now has the power to grant full national representation to the people of a Territory by admitting it to statehood. The constitutional provision giving to the Nation, through Congress, exclusive control over the seat of government deprives Congress of the power of giving to residents of the District full statehood. The pending constitutional amendment is an enabling act for Congress, empowering, but not directing, it to admit District residents to the status of citizens of a State only so far as will not disturb the national exclusive control of the Capital by the Nation through Congress. Voting representation of the District in Congress will clearly not affect control of the District by Congress.

In the Republic's political history it has sometimes happened that partisan apprehension that a new State would be opposed to the party in power has caused that party to prevent admission of the territory to statehood, even though it was fit in every respect. Such partisan fears, if any should exist in respect to the admission of the District to national representation, would naturally arise and result in acts only when that admission was directly and immediately sought and was imminent. They would not logically justify opposition to the pending constitutional amendment.

If this amendment passes Congress will only have the same power to give part of the privileges of statehood to the District that it now has to give all of these privileges to Alaska or Hawaii.

If after this amendment is adopted Congress thinks that for any reason, partisan or otherwise, the time is not yet ripe for national representation for the District the admission of Washingtonians to this status will be postponed. If the political party in control of Congress at that time is convinced that "admission" of the District will create a Senator or Senators and Representatives controlled by the partisan enemy that party has the same opportunity to block and postpone admission that both parties have had and have exercised in the past in the case of many of the Territorial applicants for statehood after they were fitted for admission in population and resources.

Washington applies to two-thirds of Congress to empower Congress, whenever Congress pleases, to give national representation to District residents; to give to the seat of Government the same possibility of national representation that Hawaii and Alaska now possess.

What Washingtonian can be imagined as opposing this amendment, which dignifies and exalts his American status, and neither inflicts nor threatens any injury to anybody?

What Senator or Representative can be imagined as opposing an amendment which merely extends an existing power of Congress on logical and equitable lines, and which simply empowers Congress to correct political inequity whenever it sees fit to do so?

Washington is asking by constitutional amendment, requiring two-thirds vote of Congress, only what is absolutely essential to be secured in this way. If more were asked by constitutional amendment, nothing whatever could secure the necessary two-thirds vote.

All of the controverted issues concerning the make-up of the local electorate, the qualifications of voters, and the form of local government, upon which Washingtonians radically differ, are now postponed, to be decided by the majority vote of Congress after the great and vital question of the constitutional status of the Washingtonian has been answered.

Surely no Washingtonian will contend that the District should not by constitutional amendment be placed on the same basis as Alaska or Hawaii in respect to the possibility of national representation, or that Congress should not then in its discretion by a majority vote grant such equitable representation.

Surely Congress will not quibble or delay in cooperating to give to itself by constitutional amendment the power at the right time to cure the evil and shame of completely nonrepresentative government of the seat of government of the great American Republic.

DISTRICT'S WAR RECORD—SOLDIERS AND MONEY.

The District of Columbia has given to the service 17,945 soldiers, sailors, and marines (officers and men), including National Guardsmen, selective-service men, volunteers, and those enlisting in near-by State regiments and other military units. It is estimated that nearly one-half of this number has served in the Army and Navy in Europe, and many have been killed or wounded in action, died from disease, or are among the missing.

Under date of December 10 the Secretary of War caused to be issued an honorable-mention order, in which he eulogized the heroism and bravery of the District of Columbia soldiers in the engagements in which they fought so gallantly.

Gen. March reports (Feb. 15) that the District supplied 15,930 soldiers, surpassing New Hampshire, New Mexico, Wyoming, Arizona, Vermont, Delaware, and Nevada.

In addition to the contribution of its splendid young manhood to the world war, the people of the District have liberally subscribed of their limited means to help win the war as follows:

	District of Columbia quota.	Total.
First liberty loan	$13,000,000	$19,000,000
Second liberty loan	23,000,000	28,050,550
Third liberty loan	25,000,000	26,038,000
Fourth liberty loan	27,608,000	51,042,150
Y. M. C. A. fund, October, 1917	150,000	165,600
Red Cross fund, 1918	500,000	1,260,000
United war work campaign, November, 1918	716,000	835,812
War-savings stamps, December, 1918	7,500,000	7,500,000
Total	100,158,000	127,120,650

Total subscriptions from May, 1917, to December 31, 1918, $127,120,650.

Liberty-loan subscribers:

First loan	57,179
Second loan	84,328
Third loan	133,043
Fourth loan	244,582

In the internal revenue war taxes for the fiscal year ending June 30 last the District contributed $2,575,909.51, exceeding in war contributions 20 States—Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Maine, Mississippi, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Utah, Vermont, Washington, and Wyoming.

Post Office Appropriations.

SPEECH

OF

HON. WILLIAM H. KING,

OF UTAH,

IN THE SENATE OF THE UNITED STATES,

Saturday, February 1, 1919.

The Senate had under consideration the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. KING. Mr. President, I have upon a number of occasions called attention to the painful and costly experiences of the Government as a result of the impractical and oftentimes visionary and absurd schemes which officials of the Government inaugurated. All sorts of fads and experiments are conducted by agencies and officials of the Government, many of them in the face of all business experience, and still others in contravention of the letter, if not the spirit, of the fundamental law of the land. Prussian socialism and a tyrannous paternalism seem to be the goal many officials seek to reach. One of the schemes of some of the officials of the Post Office Department was the establishment of a "motor-truck service" ostensibly for the purpose of transporting the products of farm and field to market. Of course, back of the scheme was the design to have the Government engage in the transportation of the products of the country. This statement is warranted by the report which I shall call attention to in a moment, wherein it is stated "that it seems to be the purpose of the motor-truck service to enter the field—transcontinental, perhaps, in scope—as a system in competition with railroads," and so forth.

Under the pretext of aiding the farmer to dispose of his foodstuffs, and taking advantage of the war spirit and the feeling that food production must be stimulated, an appropriation was solicited and received in 1918 for the purpose of "experimenting with motor-truck service." One of the branches of the Post Office Department, wishing to extend its power and activities and increase enormously the number of employees therein, urged an appropriation to carry on such an experiment. An appropriation was made and experiments were conducted. It is needless to say that the experiments were conducted under the most favorable conditions that could be obtained by the proponents of the measure. An examination of the report indicates that those who had charge of the experiments did not proceed in a fair or proper way, but rather evinced a purpose to secure a favorable verdict regardless of the facts. In other words, the plan seems to have been to secure a verdict favorable to the experiments by questionable methods and regardless of the facts. The whole scheme seems to have been directed by the bureau of the Fourth Assistant Postmaster General and under its control and direction.

The Postmaster General felt constrained to have a thorough investigation made in regard to the motor-truck service, in order that he might advise Congress concerning the future operations of the same. Thereupon he directed the chief inspector to select the ablest postal experts and require that they should make "a thorough investigation of these motor-truck routes." Mr. Sutton, the chief inspector, selected Mr. Robert H. Baxclay, and there were associated with him other inspectors of tested ability and experience. The investigating committee as constituted consisted of Robert H. Baxclay, in charge; Inspectors Charles C. Hart, G. B. Miller, W. J. Opdyke, W. C. Volkerding, George E. Brill, W. E. Williamson, G. M. Brown, A. C. Garrigns, and J. G. Hogy. They were directed to make "a careful and thorough investigation of the motor-vehicle truck service," and the facts developed were to be fully and clearly set forth in a report to be by them submitted. They were also directed to approach the subject with "open minds and without any preconceived opinions on the question as to whether the service was practical and whether its extension would be a wise postal policy." The inspectors were directed to consult "freely the Bureau of the Fourth Assistant Postmaster General, and to give such bureau every opportunity to present any and all information it might have." This commission made a thorough investigation and submitted a report—which I obtained this morning—containing 152 printed pages. The Postmaster General in submitting the report to the chairman of the Senate Committee on Post Offices and Post Roads states that he has carefully read the same and feels "constrained to concur in the findings made and the conclusions reached." In view of the findings, the Postmaster General asked that the estimate of $300,000 for the continuance of the experiment be reduced to $70,000.

It is apparent that the Postmaster General feels that the plan is chimerical, unwise, and improper. However, in order to establish beyond all question the results of the plan, he is willing to conduct experiments during the coming year at a cost not to exceed $70,000. The report submitted by the inspectors is a severe arraignment of the methods employed by the bureau of the Fourth Assistant Postmaster General in conducting experiments, and is a condemnation of the plan itself. I shall insert at this point as a part of my remarks a portion of the summary and conclusions submitted by the inspectors:

SUMMARY AND CONCLUSIONS.

Motor-truck service not primarily designed for competitive transportation of mails, but adapt itself to needs of food producers.

Routes are conducted in competition with other established service and claiming revenues not actually earned.

Carrying of first-class mail predominates as earning factor of claimed revenues, for which business there is apparent intent to adapt schedules.

Statistics of earnings, tabulated by Fourth Assistant's office, includes war tax on letter mail, which should not be included.

Postage on fourth-class matter, carriage of which is specified object of motor-truck service, is comparatively small part of so-called revenue.

Office of Fourth Assistant contends that motor-route service has right to consider as earned revenue value of postage on all mail carried, regardless of share of service performed.

The stated method of computing revenues is not right in reason or acceptable business practice.

Motor-route service can at best aspire to recognition as another—and very expensive—instrument of public utility awaiting test of time and need.

Report does not accept service as necessary adjunct of postal establishment, nor wholly oppose it as unworthy of trial, but seeks to correct appearance of enormous earnings, that subject may be considered in true light.

Current operating expenses not furnished, but known to be greatly increasing with advent of storms and bad roads.

Expenses shown cover only season of good roads and of highest productivity and earnings from transportation of produce.

Operating mile costs have increased since August, while mile earnings are decreasing.

Increase in food production has not been due to establishment of motor-truck service.

Postage on fourth-class mail has increased only 2.5 per cent of total on all matter since September. Other classes provide over 82 per cent of total theoretical revenue.

Reported earnings are greater than in fact by reason of improper methods of computation.

Impossible to reduce to figures "the revenue derived in addition to that which would be obtained through the usual and customary mail facilities in the absence of motor vehicle truck route service," but this additional revenue is small.

Motor-truck service is not entitled to all credit for increased postal earnings, but must share with other mail service facilities.

Motor-route service has not materially increased new postal business, except in eggs, mushrooms, and specialties.

Routes conducted in right locality and strictly in interest of food producers may possibly in time increase output.

Individual instances of large shipments on special occasions not indicative general increase in production.

Special beneficiaries are paying only small part of cost of service as a whole.

Postage on mushrooms, new business, Pennsylvania to New York, is not paying costs of transportation.

Value of postage stamps on transit or transferable mail is no more revenue for motor-truck service than is mail carried on trains revenue of railroad.

Only postage on "new business" and postage on mail from post offices wholly dependent on motor route should be considered even as theoretical revenue to compare with costs, and the possibility of cheaper service by other means may be available.

As created, "new business" may be claimed postal revenue arising from increased production if solely due to operation of motor-truck service; also postage on matter now sent by motor-truck route in preference to express service. Probably temporary, as express service is improving.

Department can not undertake to permit patrons to dictate a special and particular handling of their mail.

Mail diversions in conjunction with curtailment of rail and electric service have been of little or no benefit to the service as a whole, except saving of damage to perishable and fragile matter by more careful treatment of motor-truck handling.

If cheaper rail or electric service were restored or added to all reasonable public requirements would be met.

Forced apparent value is given motor-truck service by scheduling it to leave important points slightly in advance of trains.

Motor-truck routes are mainly established on information secured by correspondence, and installed by agent of Fourth Assistant, who instructs postmasters to divert mail from other channels if advancement can be made in either delivery or dispatch. Such mail is frequently diverted without benefit to the service, sometimes with resultant delay.

Diverted mail is often carried only a short distance in transit, apparently to show postage revenue, and then discharged for further transportation by trains. Pamphlet instructions to postmasters from Fourth Assistant directs them to send by motor truck mail of all classes "that can thereby be advanced either in delivery or dispatch," both terms being used, evidently with purpose.

It is good mail-service logic that instructions for dispatch and diversion of mail should emanate from Office of Second Assistant, who is fully informed as to current train schedule changes, as is not Office of Fourth Assistant. Otherwise danger of diversions being made on apparently justifiable, but not supportable, grounds, with consequent delays to mail.

Temporary suspensions of service and delays on motor routes are not infrequent, occasioning failure of supply to solely dependent offices and inconvenience to patrons. No provision is made for supplemental service. Postmasters are instructed to employ no such service, but to permit supply to lapse until repairs are made and motor service resumed. It is taking an unwarrantable risk to divert mail from regular channels to an experimental one.

The idea of designating as revenue the postage on mail picked up at one office and delivered to another for rail connection and further transportation, is wrong, as such carriage may be only an infinitesimal part of total distance the mail must travel.

Motor-truck routes show large revenues which prove to be derived from hauling quantities of mail for short distances only. Reports of mail handled show only place of loading, and never place of delivery. Other than a short haul, service performed on the trip may be very slight and a fictitious value is given the route, as no person examining the report can determine otherwise.

Motor-truck routes acquire a defensible schedule value because of having been installed in substitution for cheaper service.

Motor-truck routes, while expensive, have some merit where they traverse sections where not in competition with rail lines. They can not be expected to take the place of rural routes, or speaking generally, of star routes.

Motor routes may be established in place of long star routes or a chain of star routes where contract price demanded is excessive. Establishment of motor-route service can be advocated only in situations where they can be operated at less cost than contract service or in localities where conditions are favorable to encouragement of increased food production.

Motor-truck routes sometimes pass through districts that are at a considerable distance from railroads, but operated as a whole as group routes are practically everywhere in competition with and extensively parallel railway and electric lines. Only at nonrailroad or no-agent points can they be called commercially nonparallel and noncompetitive.

It seems to be the purpose of motor-truck service to enter the field, transcontinental, perhaps, in scope, as a system in competition with railroads, etc.

The process and labor of handling mail in transit adds an item against general expense as indirect cost. Admitting that motor-truck service entails less such indirect cost it is still much more expensive than railroad service with all indirect costs considered.

"City distribution" of letter mail is made in railway post-office trains and on arrival at large cities such mail is sent direct from trains to the city postal station where delivery is to be made. If carried into city by motor truck this mail must be taken to general post office for distribution and dispatch to postal station, entailing additional handling and delay.

Mail is now handled by motor truck in small quantity only and organized facilities are made use of. If handled in large quantity, vastly increased facilities would need to be provided at greatly increased cost; heavy transfers at numerous created junction points would need to be made, with consequent multiplicity of handlings. In brief, a new, extensive, and costly operating plant would have to be installed. Transportation of mail by motor truck sacrifices the advantage of en route distribution such as is performed in railway post-offices and tends to reversion to the old-fashion "distributing post office," with attendant inefficiency and delays.

It seems advisable to abandon the idea of "through interstate connecting motor-truck parcel-post service" and competing for the business of carrying miscellaneous mails on schedules now selected mainly for that purpose and turn every energy toward giving most and attractive service to first-hand producers of food—the farmers.

Motor trucks should start in early morning from producing rural communities and carry produce to city for market disposal the same day. This was the intent of originators of the service, but the idea has expanded to embrace competitive carrying between large cities, for which character of service there is no real need.

Costs of motor-truck service are advancing with advent of seasonal storms, etc. Regularity of service in winter can not be assured.

Motor-truck routes have undoubtedly been established over unsuitable roads, in unproductive districts, etc., solicited for the purpose of securing Government assistance in road improvement.

Farmers have not made general use of motor service for transportation of produce to consumers. It has been suggested this is because rural routes do not emanate from large cities. Nearly 3,000 rural routes emanate from first-class offices and thousands of others reach small offices having direct rail connections with large cities. They did not use these facilities prior to establishment of motor routes. They are habituated to other attractive methods of marketing and will not use motor routes unless greater convenience is offered. The matter of finding a buyer when goods are ready for market and of the consumer being able to procure the kind and quantity of goods when he wants them, as well as the difficult problem of credit, stands as an unsurmounted barrier to successful operation of system.

Producer-to-consumer trade has developed to only a limited degree, though diligent effort along this line has been made at many large offices within the past three years. The most marked development has been effected by post-office employees having advantage of postal agencies and facilities similar to those supplied by "middlemen."

Express companies, electric lines, railroads, public auto trucks, etc., furnish cheaper transportation for produce with less exacting requirements, etc., and perform other services not undertaken by the Post Office Department.

In a number of situations motor-truck routes duplicate travel over like routes. In view of great expense, some of this might be eliminated.

Routes are in operation in districts where production of excess foodstuffs can hardly be looked for.

A number of routes in operation are not providing service commensurate with the outlay for maintenance.

Mails can not be moved on long connecting lines of routes without suffering intolerable delays and multiplicity of handlings, rehandlings, rough usage, abrasion not experienced in transmission by rail.

Limitation of load and earning capacity and high mileage cost militate against operation of long routes or routes more than 80 miles in length. The long group or chain or through connecting routes must necessarily operate at a loss.

Questionable whether extending governmental aid toward increasing food production is properly a charge to be laid against Post Office Department appropriation. The same applies to improvement of public roads.

For the sake of experiment, a few motor-truck routes should be retained in operation to further test the possibility of promoting "collection and delivery of food from the producer to the consumer and the delivery of articles necessary to the production of such food to the producer." Association of this function with general mail movement should not be considered the matter of first importance.

It is feared that, for use of food producers, the postal rates are too high, the requirements as to packing and wrapping too exacting, the insurance and collect-on-delivery features too expensive and burdensome.

As means of providing facilities for business between producer and consumer, the routes in general have not shown great usefulness, but a few have developed sufficient importance to warrant retaining them for further trial.

ROBERT H. BAXCLAY, *In Charge.*

CHAS. C. HART,
G. B. MILLER,
W. J. OPDYKE,
W. C. VOLKENDING,
GEO. E. BRIEL,
W. E. WILLIAMSON,
G. M. BROWN,
A. C. GARRIGNS,
J. G. HOGY,
Post Office Inspectors.

I shall ask Senators to examine this report, as I shall not have time to direct attention to the clear and unequivocal findings covering the entire operations of the officials who conducted the experiments.

Senators will observe the criticisms made by the inspectors of the methods employed in this service. They state "that routes are conducted in competition with other established service and claiming revenues not actually earned." That is to say, in order to make a favorable showing those who were conducting this experiment claim for it revenues that were not actually earned. Under the original scheme first, second, and third class mail matter was not to be carried by the motor trucks, but in order, presumably, to swell the receipts and thus impose upon Congress, first, second, and third class mail matter was diverted from the railroads and other instrumentalities having contracts for carrying the same and conveyed by the motor-truck vehicles. The report shows that diverted mail was often carried but a short distance, "apparently to show postal revenue, and then discharged for further transportation by trains." Senators will observe that the inspectors in their report charge that the postage of fourth-class matter is comparatively a small part of "so-called revenue," and that the statistics of earnings submitted by the Fourth Assistant's office improperly include items of credit.

Mr. WADSWORTH. Will the Senator from Utah yield to me?

Mr. KING. I yield to the Senator.

Mr. WADSWORTH. It has come to my information, and I think it was stated before the Committee on Post Offices and Post Roads, that in some instances, in order, apparently, to make a showing for this service, even first-class mail was taken off a mail train and put into a truck, driven a certain distance along the route, and eventually put back into the same train.

Mr. KING. I think that is shown in the testimony here in the record.

Mr. TOWNSEND. Mr. President, that is hardly true. What occurred was this: For instance, where a train and truck started

out from the same city, and the truck started out perhaps an hour or two earlier than did the train, mail was put on to the truck, taken part way down the line, and there put on to the railroad train that came along later, picking it up.

Mr. WADSWORTH. Not necessarily the same train.

Mr. TOWNSEND. It was the same train that started out after the truck left the city, but mail was not taken off the train and put on the truck. It was only put on the train once, and that was after the truck had hauled it part way down the road.

Mr. WADSWORTH. Then I am in error, I may say to the Senator from Utah, in stating that the mail was originally taken out of a train after it started from a railroad station, or the vicinity of one, and then eventually loaded off the train in order to reach its destination within a reasonable period; but the truck, I venture to say, was given credit for carrying that first-class mail, and then Congress was asked, upon such a showing as that, to appropriate more money.

Mr. HARDWICK. If the Senator from Utah will yield to me for just a moment, I think it is proper that the Senator from New York should understand the facts accurately. What the Senator has stated was done for the reason that the delivery of mail to near-by villages should be facilitated and reach there much earlier on the truck than it would by waiting on the train schedule.

Mr. WADSWORTH. I did not quite understand the Senator's explanation.

Mr. WEEKS. Mr. President, I think the Senator from Georgia [Mr. HARDWICK] is in error in his statement. Let me take, for an example, the case where mail was dispatched by truck from Birmingham, Ala., and an hour and a half or two hours later was put onto a train which left Birmingham somewhat later than did the truck, but the truck was given the credit for the earnings for the carriage of the mail between Birmingham and the point where it was put on the train. The mail, however, was not at all hastened in reaching its destination; it was merely hastened in leaving the post office, though not in the final delivery; but the truck was credited with the earnings for carrying that first-class mail between Birmingham and the point where it was transferred to the train.

Mr. HARDWICK. Mr. President, the Senator from Massachusetts may be partially right in his correction, but the fact is that, while I do not entirely approve of what was done, the only reason that could be given in defense of this proposition was that the mail for intermediate points, at least, was facilitated by using these trucks instead of the trains, and that is the evidence in each case—in Birmingham, in New York, and out of Baltimore, also, unless I remember the testimony incorrectly.

Mr. WEEKS. Mr. President, a little later on I want to point out some of the peculiarities of the methods which were used in conducting this experiment, not with any desire of disparaging the possible value of the experiment but to show that it was improperly, unwisely, and almost dishonestly conducted.

Mr. KING. I think the finding of the inspectors which I called attention to a moment ago supports the contention of the Senator from New York. The inspectors state that diverted mail is often carried only a short distance in transit, apparently to show postage revenue, and then discharged for further transportation by trains; and they further state that "pamphlet instructions to postmasters from Fourth Assistant directs them to send by motor-truck mail of all classes that can thereby be advanced in delivery or dispatch," both terms being used evidently with a purpose. It is obvious that in some respects the manner in which the experiments were conducted was violative of the statute, and it seems to have been the purpose to make a showing upon which a further demand could be made for increased appropriations for motor-truck service. The investigations of the inspectors seem to indicate a purpose upon the part of some officials conducting the experiments to fasten upon the Government as a permanent policy a scheme for motor-truck transportation.

Mr. VARDAMAN. Mr. President——

Mr. KING. I yield to the Senator.

Mr. VARDAMAN. I think there is no defense, if true, to some of the things with which the Fourth Assistant Postmaster General is charged by the committee appointed by the Postmaster General to investigate that matter.

The purpose of the motor-truck service, however, was to increase the facilities for the farmers living near the cities and towns to bring the products of their farms to market. Of course the effect of that would increase the farmers' profits and at the same time lower the cost of living to the man in town. Nothing but good could result from such a service economically conducted. I think there can possibly be no objection to the purpose of this experiment. It is a very laudable and proper one. It is the ardent hope of the committee that after a while the public highways shall be so improved that the service under consideration may increase to the extent that will prove inexpensive to the Government.

As to sending first, second, and third class mail by the motor truck, destined to points miles and miles away, for the purpose of showing the volume of business on the motor truck, if this were done to deceive the Congress and mislead the country, of course all right-thinking men will regard it as reprehensible; and when the matter was first called to the attention of the committee the members of the committee were quite as outspoken in their condemnation of such a practice as the Senator from Utah is severe in his condemnation. But I ought to state that Mr. Blakslee, the Fourth Assistant Postmaster General, denies that the records were padded or any intention on his part to deceive the Congress or the public.

Mr. KING. Let me ask the Senator a question.

Mr. VARDAMAN. Yes, sir.

Mr. KING. Does not the report which was submitted, and which I hold in my hand, convict the Fourth Assistant Postmaster General of improper conduct and a violation of the letter and spirit of the law?

Mr. VARDAMAN. I think on its face it does. I was not present when the committee heard the Fourth Assistant Postmaster General in his explanation of the report. He was called before the committee to answer the charges made by the inspectors, and I have not had an opportunity, having been out of the city for some days on official business, to read his statement of the case or defense of the charges. But there are certain charges made in the report which I do not think he can explain or effectively defend unless they are untrue.

Mr. KING. If the Senator will pardon me, he will see that the Postmaster General approves of the findings and conclusions submitted.

Mr. VARDAMAN. I understand that the Postmaster General approved it. Of course, the Postmaster General is only indirectly involved in this controversy. I have not seen his report, but I do know that Mr. Blakslee denied some of the statements contained in the report made by the inspectors and denied emphatically the conclusions reached by them. As I have said heretofore, Mr. President, I have not had an opportunity to read Mr. Blakslee's statement or to go carefully into the report of the inspectors. The purpose of my rising was to say that the Post Office Department in establishing the rural motor-truck service is to be commended and is heartily approved by me. If it can be made profitable to the farmers of this country and beneficial to the consumers of farm products living in the cities, without imposing a burden on the taxpayers, I think that every encouragement should be given the enterprise, and I hope that the Post Office Department will be able to so perfect the system as to win the approval of everybody.

Mr. KING. Mr. President, in reply to the statement made by the Senator, permit me to say that an examination of the report submitted by the inspectors justifies the findings and conclusions submitted by them. The statement of the Senator to the effect that, if it can be made profitable to the agriculturists of the country and beneficial to the consumers, to establish a system of motor-truck transportation, it should be encouraged, providing no "burden is imposed upon the taxpayers," may mean very much and may possess but slight significance. The Senator, of course, knows that the most impractical and costly schemes are often enthusiastically indorsed by their advocates and by thoughtless, hysterical supporters. It is easy to so garnish and bedeck the most vicious, squalid, and destructively extravagant scheme as that wise and practical men are often deceived. Every plan that seeks a perversion of the powers of the Government has been backed by pleas akin to those just suggested by the distinguished Senator from Mississippi. The poisoned cup so often placed before us is filled with beautiful colored distillations which appear more beautiful than the pure sparkling stream. The most tyrannous of despotisms, the most benumbing and dangerous bureaucracies and paternalisms, are justified and applauded upon the theory of service to the people. This Republic is a striking example of what a democracy can accomplish for the economic and industrial welfare and the political liberty and progress of a people. Though the states of Europe are inhabited by millions, are compact, and in many instances the difficulties of constructing and developing transportation instrumentalities are reduced to a minimum because of the topography and other natural conditions, nevertheless we have the best and cheapest transportation facilities in the world. I am referring to conditions immediately before we entered the war. The state socialisms and the autocratic forms of government of Europe have not given to the people the advantages in commerce, in trade, in industrial development,

in economic advancement, that have been enjoyed in this Republic. And yet there are those who would fasten upon this free people the discredited, archaic, and tyrannous policies and systems of the old world. Of course, everyone familiar with the work of the Federal Government knows that its undertakings and accomplishments, large or small, involve an expense entirely disproportionate to the results achieved. If it is profitable and beneficial to establish systems of motor-truck transportation in our country, then individuals and private enterprise will work out comprehensive and satisfactory plans.

The American business man is always alert and ready for an investment that promises a reasonable reward. As a result we find railroads, steam and electric, threading the States of the Union. In many localities express companies are in operation. In many States passengers and freight are carried by privately owned and operated vehicle systems of transportation. In some instances vehicles are drawn by horses, and in other instances motor cars and trucks are utilized. If there is a field for motor-truck transportation, private enterprise will enter it. Such a field, under our form of government, is for private enterprise and not for the Government.

Does it not occur to Senators that we are confronted by a somewhat remarkable condition? We are asked to appropriate large sums for the purpose of establishing a motor-truck transportation system; the experiments conducted by the Government prove it to be expensive and impractical and, to some extent, an encroachment upon the field covered by steam and electric railroad systems. The report of the inspectors, as I have stated, shows that express companies, electric lines, railroads, and privately owned autotrucks "furnish cheaper transportation for produce with less exacting requirements than this projected system." The fact that the Government is in possession of most of the steam railroads of the United States and is operating them at a loss should occasion concern to all thoughtful persons. We have already appropriated $500,000,000 which the railroads have absorbed, and are now required to appropriate $750,000,000 more to aid in operations for the coming year. This sum, enormous as it is, we are told is imperatively required, and that the railroads will cease to properly function unless it is forthwith obtained. The railroad rates have been increased from 25 to 400 per cent. Notwithstanding these great increases in freight and passenger rates, the railroads were operated at a loss of more than $200,000,000 for the past year. We are now asked to further diminish the freight carried by railroads, notwithstanding they are operating at a loss under Government control, the loss to be met from the Public Treasury. We have heard rather lurid stories of the great economies brought about in railroad operation since the Government assumed control. They are proving to be fairy tales. The situation of the railroads to-day incontestably demonstrates that governmental operation has been as extravagant, costly, and inefficient as is the handling of most other business undertakings and enterprises by the General Government. Its few months' control of the telephone systems of our country has wrought the same disastrous results. It has produced confusion, disorder, and chaos, disturbed business, affected the value of securities, and created a huge deficit for which the Government will be held responsible. Its control of the telegraph systems has been equally inefficient and destructive. We see some of the costly results of governmental control when we look into the work of Government agencies during the war through which we have just passed.

I need only to invite attention to the work of the Shipping Board and Emergency Fleet Corporation and to the aircraft production and to the work of the Ordnance Department to prove the inefficient, costly, and intolerable business methods under which the Government conducts its business. Governmental control and operation are synonymous with waste, extravagance, and inefficiency, and often disorder and chaos. It is impossible in a republic and among a free people to have efficient Federal ownership and control of those matters which are manifestly within the field of private endeavor. A despotism rather than a republic is better calculated to secure efficient operation and control, not only of public utilities but of business undertakings which are regarded as legitimately and exclusively of a private character. I believe that under our form of government it is not the province of the Federal Government to engage in transportation. In this statement I am referring to the question of policy rather than that of power.

It is clear to even the blind that back of the appropriation which is now sought by this bill there exists a design to increase the powers and prerogatives and responsibilities of the Post Office Department, to multiply by thousands the employees of that department, and to increase its expenditures by millions of dollars annually.

I want to express my disapproval of the efforts which are being made by certain officials of the Government to expand the powers and jurisdiction of the Post Office Department. There are officials within it who are determined to have the Government acquire and operate the telegraph, telephone, and cable systems and place them under the control of the Post Office Department. There are still others who desire that the Government shall take over, own, and operate through the Post Office Department all express companies and establish motor-truck transportation systems ramifying all parts of the United States. Of course, this is in line with the plan to convert the Federal Government into a vast paternalism, an autocratic socialistic state. This plan would culminate in the destruction of private enterprise and private business and would lay upon the American people a heavy hand that would destroy private initiative, individual ambition, and reduce the people to the dead level of a monotonous and decadent mediocrity. The American people, instead of being a virile, puissant, mighty force for progress and civilization, would subside into a stagnant pool, giving off foul and poisonous exhalations.

I invite the attention of the Senators, and particularly the Senator from Mississippi, to the railroad situation in our country to-day. A few years ago there was an era of railroad building and development. Thousands of miles of steam railroads were annually constructed. Within a few years electric railroads were built in most of the States of the Union. Energetic, pushing Americans linked the cities and towns and States with electric railroads which proved of immense advantage and importance to the people. In many instances they came in competition with the steam roads, resulting in a reduction of freight and passenger rates. They brought the towns and the rural districts to the cities and linked remote parts of States with the congested centers of population. They enabled the farmers to transport their products to market, and in various ways contributed to the happiness and material welfare of the people. But the day of railroad building seems to have come to a close. Men who were willing to invest and construct additional steam and electric roads hesitate. With the hampering restrictions of States and political subdivisions within States, and the unreasonable attitude of the Federal Government toward railroads, together with the menacing attitude of those who demand Government ownership of railroads, we can not expect that additional roads will be constructed. Trust companies who hold the savings of the rich and the poor, as well as those who have means for investment, would hardly be warranted in loaning their money to construct new railroads under present conditions. There is no one thing that would conduce as much toward the revival of business as a clear-cut announcement upon the part of the Government of a wise and rational policy with respect to railroads, telegraph and telephone lines, and a fair and proper method of dealing with matters of interstate commerce. Such a course would result in the organization of new railroad companies or the extension of existing systems. Interurban roads would be increased. Transportation charges would be cheapened and the demand for labor increased.

I did not intend to discuss the railroad question, but was diverted by the suggestion of the Senator from Mississippi; but before leaving the subject I wish to invite attention to a letter received by me sometime ago which throws light upon one angle of the question of motor-truck transportation. I express no opinion upon the merits or facts of the case stated by him. The letter was written by an enterprising American who has done much toward building electric railroads. Referring to my opposition to appropriations to establish motor-truck transportation by the Government, he says:

> The cities and counties of California, which have spent tremendous sums of money on good roads within the past few years, are now finding to their dismay the costs of maintaining these roads and are further discovering that the greatest destructive agency in proportion to mileage is a heavily loaded motor truck, and the second most destructive agency is the large jitney bus, which is also an impediment to the use of the road by the ordinary automobile. It will take but a few years more to demonstrate that the furnishing of a free roadbed to motor trucks and jitneys in competition with the electric roads, which have to furnish either their own private rights of way * * * or pay all the paving included within the area bounded by lines 2 feet on the outermost side of their tracks, including maintenance, is one of the most expensive forms of securing additional transportation that the public has indulged in.
>
> If the public furnished the free rights of way, roadbed and structures thereon, rails, ties, bridges, etc., to the electric lines, you will readily appreciate what an enormous extension of interurban facilities would be possible and how much greater in value to the public the transportation would be in comparison with any motor truck or jitney line. I do not mean that such a thing is possible, but such a policy would be parallel in a very large degree with that now pursued with reference to motor trucks and jitneys.
>
> The present policy has resulted in embarrassing financially the electric roads of this State. It has been the chief factor in preventing almost absolutely extensions for passenger business alone during the past four or five years.

While statistics I have here are not complete, I think it safe to say that the new State highways, with the bridges involved, are costing in excess of $18,000 per mile. The wider streets of the cities, ranging from 40 to 60 feet, are costing for paving from $40,000 to $60,000 per mile.

The figures show that the cost of maintenance of paved public highways in Los Angeles County last year per mile of roadway was greater than the cost of maintaining tracks and roadway per mile of the Pacific Electric.

Mr. VARDAMAN. Mr. President——

Mr. KING. I yield.

Mr. VARDAMAN. Do I understand the Senator from Utah to give his approval to that suggestion? Would the Senator, in the interest of street railways, deny the public highways to the people living in the country over which to run their motor trucks or their automobiles?

Mr. KING. Certainly not.

Mr. VARDAMAN. If the United States Government could furnish the farmers of this country transportation for their truck products at a lower cost, and without cost to the taxpayers, would the Senator deny them that facility to market their produce, in order to build up business for the electric railroad lines?

Mr. KING. Answering the Senator's suggestions, I want to state that in my opinion the Post Office Department can not furnish transportation for field and farm and make it a self-sustaining undertaking. The inspectors' report to which I have called attention conclusively establishes that fact. I concede that a few routes might be selected by the Post Office Department which would show for the time being no loss and perhaps a slight profit; but the Senator must take into consideration what the final result of the inauguration of this system of motor-truck transportation would be. If a few selected routes proved profitable, extensions would be made in all directions. The same influences would soon be at work that we discover in successful operation when river and harbor bills and post-office and public-building bills are being prepared. There would be logrolling and importunities and schemes of all sorts and kinds to secure the establishment of transportation routes. If a route was laid out in one precinct, another precinct would demand it, and the adjacent county would insist upon it, and surrounding counties would demad the extension of the route or the establishment of other routes within their borders.

Congressmen would be petitioned for the establishment of motor-truck routes within all parts of their districts, political influence would be brought to bear, men who wanted positions would inaugurate campaigns for the establishment of routes, until finally millions of dollars would be called for and tens of millions of dollars would be expended. But this is not the end of the ugly picture; new bureaus, agencies, and instrumentalities would be required, thousands of trucks would be purchased, supply depots would be needed, repair shops by the hundreds would be erected, and thousands of additional employees would be required; and these, in time, whether drivers or collectors of freight and produce, or keepers of the depots and stations where the same would be housed or received, would be protected by the civil service, and they, in turn, with the hundreds of thousands of others who are in the Government service, would demand civil pensions for which the people would be taxed. And, of course, to make a showing rates would temporarily be reduced to destroy any competition resulting from the operation of transportation companies by private individuals. This, together with the general incompetency of the Government in its administrative affairs, would inevitably lead to enormous deficits. Private corporations or individuals would build no further railroads nor establish transportation companies in competition with the Government. The plan would drive out of business existing transportation companies and would prevent the extension of the lines and plans of existing companies or the organization of additional ones. If the Government can furnish transportation, to use the language of the Senator, for the truck products of the farmers and make it a self-sustaining proposition, then unquestionably private individuals could do the same thing and make a profit; and, as I stated a few moments ago, the enterprise and genius of American people lead them into any and all legitimate enterprises where there is promise of profit or reward.

Let me mention another question that would arise if the Government should inaugurate this system. The highways of the country would be more or less injured by the operation of the Government trucks, and the cities, counties, and States would demand enormous appropriations from the Government for the repair of the same. Buildings would be necessary to care for the products transported by the Government trucks. These would need caretakers, insurance, and protection, and this would call for additional employees.

Mr. President, the plan is unwise and inexpedient. Of course, it is in line with the paternalism and bureaucratic method so popular in executive departments and in certain sections of our country.

Mr. VARDAMAN. I ask the Senator if the Post Office Department should be able to furnish this transportation for the products of the truck farmer and make it a self-sustaining enterprise, would the Senator deny the Government that privilege of serving the people in order to build up business for electric railroad lines?

Mr. KING. I think I have sufficiently answered the question just submitted by the Senator, but I will add that, in my opinion, the department will not be able to furnish transportation and make it a self-sustaining enterprise. Of course, I would not, nor would any Senator, deprive the Government of any power which it possesses merely for the purpose of aiding the business of an electric railroad line. I am frank to say, however, that I should be glad to see more railroads, both steam and electric, constructed by corporations and individuals in our country. Their construction would give employment to thousands of men, and facilities for transportation of the products of the farmers and manufacturers and of all of our people would be multiplied. I welcome every effort to secure additional and cheaper transportation for the American people. What I attempted to show was that by unwise legislation, by the assumption of power by the Federal Government not possessed by it, transportation rates are increased and the instrumentalities of transportation fail to keep pace with the growing demands of commerce. Wise legislation by the States and by the Federal Government will encourage the construction of additional transportation systems. The enactment of laws by which the Federal Government enters the transportation field will in my opinion prove disadvantageous to the interests of the people. Conceding the power of the General Government to engage in the transportation business, I insist that such action would be unwise and in the end it would prove harmful to the people. Under our form of Government it is not the legitimate function of the Federal Government to build and operate railroads and engage in the transportation of commerce.

Mr. VARDAMAN. My friend ought to know that that is being done. It may be that it is an improper function for the General Government to perform, but, as a matter of fact, the Government is performing that function.

Mr. KING. I admit that as a war measure the Federal Government took over most of the railroad systems of the United States and is still operating them. This is being done under the war power of the Government. There are many who question the wisdom and expediency of the act. I think, however, most persons will concede that under the war powers of the Federal Government it was authorized to seize and operate the railroads. I am persuaded, however, that all fair-minded persons will reach the conclusion that the control by the Government of the railroads has not been an unqualified success. Notwithstanding the enormous receipts resulting from the immense tonnage carried for the Government, as well as from the increased freight and passenger rates, the cost of operating the railroads was increased more than a billion dollars for the year, and the Government is called upon to meet a large deficit.

Mr. FLETCHER. Mr. President, if it will not interrupt the Senator——

Mr. KING. I yield.

Mr. FLETCHER. May I ask him if this provision of the bill does not involve—and if that is not substantially all it does involve—a proposed extension of the parcel-post service, the effect of which would be to promote direct dealings between the producer of farm products and the consumer? That would be the effect, but it is an extension, practically, is it not, of the parcel-post service, already in existence and operation?

Mr. KING. Mr. President, I realize that the power of Congress to establish post offices and post roads is expressly granted by the Constitution. It is contended by able lawyers that under this grant of power the Government may establish parcel-post service as a branch of the Postal Service. But I submit that there must be some limitations upon this grant of power. I can not believe that Congress would be authorized to convert the Postal System into a huge transportation enterprise. Certainly it will not be contended that the framers of the Federal Constitution contemplated that the authorization to establish post offices and post roads conferred an unlimited and unrestricted grant of power upon the Federal Government to construct railroads and various other instrumentalities of transportation and then to engage in all forms of transportation. Will Senators contend that the authority to establish a post office confers the power to create a mercantile establishment and a manufacturing plant and to engage in all forms of trade and commerce? Jefferson suggested that the establishment of post roads might mean the

selection of roads already established in the various States rather than the building of additional ones. Whether the suggestion is of importance or not, manifestly it can not be successfully maintained that the power to establish a post road authorizes the General Government to engage in all forms of transportation and commerce. I submit there must be some point beyond which the Federal Government may not go in its legislation, based upon the clause of the Constitution which I have just referred to. If under the guise of transporting mail it constructs railroads it would seem to follow logically that it should have the power to make the enterprise financially successful. To accomplish this result it might be necessary for the Government to acquire and operate mines and smelters in order that there might be tonnage for its cars. Factories and all other enterprises which promised commerce could thus be developed and conducted in order that freight might be provided for the railroad system so owned and operated by the Government. It would certainly be a loose and latitudinarian, if not absurd, construction to place upon the Constitution to argue that the postal clause of the Constitution would authorize all such undertakings.

I do not think the Senator from Florida is quite accurate in intimating that the establishment of motor-truck transportation is merely an extension of the parcel-post service; but if it be an extension, then it would be no more than an extension to authorize the operation by the Post Office Department of motor trucks in all parts of the land to carry commodities of every form and the products of the factories and the mines and the fields. It would only be an "extension" of the system for the Government to acquire rights of way, to construct railroads, build warehouses, employ hundreds of thousands of men to operate the same, and to drive into bankruptcy the railroads owned by private individuals and corporations, and thus take charge of the entire carrying trade and business of the Nation. I leave it to the able Senator from Florida and others who have the responsibility of passing upon these questions to determine whether there is no limitation upon the power of the Federal Government when it deals with "commerce among the States." I submit, with due deference to the views of others and to the expressions of learned judges of the land, that the establishment of "post roads" or the "regulation of commerce among the States" is vastly different from the building of roads and the construction of railroad systems for the purpose of transporting the commodities and products of the people and for the purpose of competing with individuals in the ordinary lines of business and in the fields of trade and commerce.

Mr. SHERMAN. Mr. President——

Mr. KING. I yield to the Senator from Illinois.

Mr. SHERMAN. The Senator has alluded to and I hope he will enlarge on the distinction between the powers of the Federal Government. Congress has a right to regulate interstate commerce, which might include motor-truck transportation to enable market gardeners and others to distribute their products. Will the Senator give the Senate his views on the distinction between regulating commerce and engaging in commerce itself? Is not the furnishing of transportation merely one of the forms of commerce? There is a distinction, it seems to me, that always ought to be kept in mind. The Senator very briefly alluded to it, and I hope he will enlarge on it during his discussion of the subject.

Mr. KING. Mr. President, I do not feel competent to answer the question of the Senator from Illinois or make any worthy contribution toward the discussion of this important subject. However, I shall submit a few observations which I hope will prove more or less relevant. Perhaps the commerce clause of the Constitution has been the subject of as much controversy as any one provision of that instrument. At any rate, it has produced many learned discussions and yielded a multitude of able opinions. One of the most important decisions rendered in the early days of the Republic was in the famous Gibbons-Ogden case. Chief Justice Marshall in that remarkable opinion did much toward shaping the course of the Federal Government. No decision since then has successfully challenged the principles therein announced or the conclusions reached. Under the commerce clause Congress has the power to "regulate commerce with foreign nations and among the several States and with the Indian tribes." The power of Congress, as stated, is regulatory. It does not authorize the creation of commerce or give authority to the Federal Government to embark upon enterprises and undertakings for the production of the articles of commerce. We all know that the principal reason that prompted the Constitutional Convention to adopt the commerce clause grew out of the abuses connected with the insignificant in amount but nevertheless to the colonists important trade between them. The evils of internal barriers erected by the Colonies, and which operated to restrict trade and commerce, were so apparent that the delegates to the Constitutional Convention were willing to surrender to the Federal Government the power to "regulate commerce among the various States." They understood, as was declared in the Gibbons-Ogden case, that commerce consists of "intercourse and traffic."

I think, however, the interpretation placed by the courts upon this important clause has extended its meaning and scope beyond that within the contemplation of the framers of the Constitution.

As I recall Madison's statement, it was to the effect that the power granted to the Federal Government under the commerce clause "was intended as a negative and preventive provision against injustice in the States themselves, rather than as a power to be used for the positive purposes of the General Government." I think the decisions of the Supreme Court support this statement. The power of regulation to be exercised by the Federal Government is entirely different from the building and operation of railroads and other instrumentalities of transportation. Certainly it was not designed that the Federal Government under the guise of "regulation" should invade the internal affairs of the States or engage in business undertakings which were carried on by individuals and corporations within the States and were subject to the police power and control of the States.

Mr. Tucker, in his admirable work on the Constitution, in discussing the commerce clause states in effect that Congress has the power to regulate traffic in things in transitu but not the things themselves. The case of Hammer against Dagenhart, recently decided by the Supreme Court of the United States, construed the child-labor law, and the opinion of the majority of the court, as I recall it, supports the views which I have briefly submitted, and declares that the manufacture of goods is not commerce, nor does the fact that they were afterwards shipped in interstate commerce make their production a part of that commerce and subject to the control of Congress.

It is a matter with which we are all familiar that the colonists were jealous to maintain the rights and sovereign powers of their respective Commonwealths. It was only the menacing dangers surrounding them which induced them to form the Federal Union. They clearly manifested a purpose to limit the powers of the Federal Government and to reserve to the States and to the people, respectively, all the powers not delegated to the former.

They were not paternalistic; they did not believe in State socialism or in bureaucratic government; they did not intend that the Federal Government should become a vast Frankenstein or that its powers should be perverted to enable it to enter into competitive business with the people of the various States. They never dreamed of the Government which they created engaging in commerce or producing articles of commerce to be handled through the channels of trade and commerce. It is true the case of McCulloch against Maryland holds that corporations may be created for the purpose of carrying out some governmental purpose; and later it was held, in Luxton v. North River Bridge Co. (153 U. S.), that Congress may create corporations as appropriate means of executing the powers of government, and that therefore it could authorize the creation of a corporation for the construction of a bridge over a navigable stream.

President Buchanan considered that under the war-making power military roads could be constructed by the Government through the Territories, and later, as Senators will remember, corporations were authorized for the construction of the Pacific system of railroads. It is my recollection that this legislation was justified upon the ground of military necessity, or rather upon the ground that the Federal Government, under the war-making power, had the right to appropriate money or make land grants to aid in the construction of military roads through the Territories.

During Washington's administration Madison supported a bill authorizing the survey of a post road from Maine to Georgia. Of course, the Constitution is clear as to the power of Congress to construct post roads. In those early days transportation between the Colonies was well-nigh impossible because of the lack of roads. However, Jefferson made objections to Madison's views, contending that it would be "the entering wedge of enormous expenditures, boundless patronage by the Executive, a bottomless abyss of public money." He suggested the question as to whether the power to make post roads authorized the "construction" of roads rather than the "selection" of those already in existence.

During the administration of President Monroe the question of the power of the Federal Government to engage in internal improvements was a very vital one. Conflicting views were then entertained in regard to the powers of Congress to construct roads for any purpose unless, perhaps, under the war-making power for military needs.

Mr. Justice Bradley, in one of the Union Pacific Railroad cases—found, as I recall, in One hundred and twenty-seven United States—stated, in substance, that under the power to regulate commerce, as well as to establish post roads and for military purposes, the Federal Government was authorized to pass laws for the creation of corporations to construct the railroads in question. Mr. Tucker declares that that portion of the decision holding that Congress can build railroads under the commerce clause is dictum. I think there is no question but that the issues presented did not call for a decision as to the power of Congress under the commerce clause to authorize the construction of the Pacific railroad system.

There can be no question as to the power of Congress to authorize, or perhaps to build, a railroad for postal or military purposes. There is in my mind serious doubt as to the power of Congress to construct railroads under its authority to regulate commerce "among the several States" for the purpose of carrying the commerce of the people.

How far the courts will go in their interpretation of the commerce clause it is impossible to determine. They have held that all instrumentalities of commerce, physical or otherwise, are subject to regulation by the Federal Government, and that this power to regulate not only includes personal property and all forms of goods and merchandise that may be the subject of commerce but all persons who conduct commerce and the charges thereon and profits therefrom. This necessarily leads to the position that all corporations engaged in interstate commerce may be regulated by the Federal Government. And the decision in the Caminetti case subjects individuals to the regulating control of Congress. It is a tremendous power, and its extent becomes more apparent as the commerce between the various States increases and the business relations between the people become more intimate. However, I respectfully submit that the power to regulate commerce ought not to be construed to authorize the Federal Government to engage in commerce. If such power were granted and fully exercised, it is manifest that not only intrastate commerce but that which is interstate in character and which is the result of private or corporate effort could be destroyed. There could be no competition with the Government. There would not be "regulation" of commerce, but destruction of all instrumentalities of commerce not owned and controlled by the Government. Railroads, all forms of transportation, mines, mills, factories, indeed most producing property, real and personal, would be owned or controlled, and probably both, by the Government, and the people would be its employees. There would no longer be a Republic; the very form of our governmental structure would be changed, and our institutions, our economic and political life, would be submerged by a form of despotism or a condition of chaos and anarchy that might overwhelm or blot out the civilization of this Nation.

We all remember the centralization that was attempted when the fourteenth amendment to the Constitution was adopted. It was designed to strike down the States and aggrandize the Federal Government. Fortunately for the liberties of the American people, courageous judges declared that the States should be preserved, and that there should be no assumption of power by the General Government which would destroy the States or shackle the people of the States. The amendment was regarded as a reaffirmation of the "cardinal principles of Magna Charta as guaranteed as well by the national power against the action of the States as against its own action."

So I hope that the commerce clause will not be perverted and become the engine of oppression and destruction.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. KING. I yield to the Senator.

Mr. LENROOT. Any power that the Government has to own and operate ships, if it exists at all exists under this same clause, does it not?

Mr. KING. Is that the question of the Senator?

Mr. LENROOT. Yes.

Mr. KING. I would not want to answer that that is the only clause; but, speaking without opportunity for full reflection, I am inclined to think that the Senator is right.

Mr. LENROOT. Does the Senator deny the power of the Federal Government to own and operate ships?

Mr. KING. Mr. President, what I have stated concerning railroads is applicable in a general way to the subject of marine transportation. I know that many able lawyers contend that the General Government may build, purchase, and operate ships for commercial purposes; that the Government may engage in the carrying trade not only between ports of the United States but between our country and foreign nations. How far the courts would go in upholding legislation, if it should be enacted, which has these objects in view I can not state. I can only repeat that there must be some limitation upon the commerce clause of the Constitution. It was not intended to confer upon the Federal Government unrestricted authority to become a gigantic business corporation. Of course, the Government can own and operate ships for purely governmental purposes. It can employ them in the transportation of troops and for military and naval purposes. Indeed, there are many legitimate purposes for which ships may be used by the Government, but, speaking in a general way, and without full opportunity for such reflection as is necessary to reach a matured judgment, I would say that the Federal Government would have difficulty in defending its course if it should engage in all forms of commerce upon land and upon sea.

Mr. LENROOT. Mr. President, of course, the Senator understands that my question was directed to the question of power and not to the question of policy.

Mr. KING. I appreciate that.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. If the Senator will pardon me, I think the Senator from Illinois [Mr. SHERMAN] rose first. I yield to him, and then I will yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to make the suggestion that if there is anybody who thinks that the Federal Government does have power to operate ships, it would be interesting to have him indicate under what clause of the Constitution the power may be found.

Mr. KING. Yes; I should be very glad to be advised in respect to that. I was thinking hurriedly, as the distinguished Senator from Wisconsin was propounding his inquiry, and endeavoring to ascertain what particular provision of the Constitution conferred upon the Federal Government the power to acquire and operate transportation systems for the purpose of carrying the trade and commerce of the peoples of this and other lands.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. LENROOT. I am free to say that in my opinion the interstate-commerce clause does warrant it. In my opinion the Supreme Court in many expressions has indicated that the power exists, and I believe it does exist.

Mr. KING. I now yield to the Senator from Illinois.

Mr. SHERMAN. Mr. President, the greater part of those have been resolved under the war powers. The interpretation of war powers in this Chamber has no limitation that I know of, unless it be that in the executive department; and that has evidently gone beyond the United States, and extended over the world.

Mr. KING. I suggest to my friend from Illinois that I do not think the position which has been taken is quite as extreme as suggested. I think Senators have gone to the extent of contending that the war powers would permit Congress to do whatever it conceived to be necessary for the public defense, if not prohibited by or forbidden in the Constitution of the United States.

Mr. SHERMAN. And ships have been one of the necessary incidents to the execution of those powers, and can be justified there.

Mr. KING. Oh, yes. I grant that when we are in war the Federal Government has the right to seize ships, and railroads, and all other instrumentalities used in transportation, as well as all forms of private property needed by it. Its power is beyond question to own and operate ships and railroads for the purpose of carrying on war, either defensively or offensively.

Mr. SHERMAN. Mr. President, that, however, does not relate to the peace powers or to the interstate-commerce powers.

Mr. KING. Exactly.

Mr. SHERMAN. When peace shall be concluded all such powers would cease, and Congress would return to the ordinary limitations that are found in the Constitution during the peace period.

Mr. VARDAMAN. Mr. President, may I ask the Senator what you are going to do with the six months which the law provides the railroads shall be held after peace has been declared?

Mr. SHERMAN. That is in the clouds, or, as the law books put it, in nubibus. It reposes, like parliamentary rules, in the cerebral activity of the Presiding Officer or in the Execu-

tive. There is no limitation because there happens to be a six months' period. The six months' period is a time extended over the actual war condition, but still covering war requirements, and is intended to effect the bridging of the passage from peace to war periods. That is all these limitations are for.

Mr. KING. Oh, Mr. President, a reasonable construction, of course, must be placed upon all statutes; the Federal Government would therefore have a reasonable time within which to restore property seized by it for war purposes, or rather to aid it in carrying on the war. It would be required to pay compensation for the use of such property, or for its destruction, if such occurred.

It could not, however, invoke the war power under which it seized property as a justification for its retention and continued use for general transportation purposes. If that were true, whenever the Government seized property in time of war it could continue to use the same indefinitely and for purposes other than governmental.

Mr. KENYON. May I interrupt the Senator?

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. If the Senator has finished discussing the report, I wish to say that Mr. Blakslee, who is the Fourth Assistant Postmaster General and has a good deal to do with this motor-truck proposition, when before the Committee on Education and Labor yesterday, referring to this appropriation of $300,000 in this bill, said it was utterly useless, that in a former bill the same amount, I think, had been appropriated to experiment and determine whether the principle was wise or not; that that experiment had been carried out and that it had proved a wise experiment; that they did not need $300,000 for any further experiment to determine the principle; that if any appropriation was made it should be the sum of $8,000,000 in order to carry out the experiment that had already proved a success. Mr. Blakslee was very enthusiastic about the ability to use the motor trucks. We have some 22,000 of them, he said, left by salvage from the war and possibly more across the sea, and he said they could be used, and if they were used it would give employment to men and also be a splendid method of their disposal; but he said this appropriation of $300,000 would amount to nothing; that it would be absolutely useless; that the appropriation should be $8,000,000 or nothing.

Mr. KING. Did he state that $8,000,000 would be all that would be required?

Mr. KENYON. No; but that $8,000,000 would reach into large sections of the country, and he instanced some of the work that had been done even on the edge of Washington, where a community center——

Mr. KING. Of course——

Mr. KENYON. May I just state, as it is rather interesting, I think, that a schoolhouse was designated as a community center and made a postal station? Out in the country schoolhouses are to be made community centers and postal stations. The farmers bring their products to the schoolhouse in the country and the truck brings them into the community center in the city on the edge of Washington. The people are buying these things and doing business, he said, in the sum of $500 a day, the consumers getting what they have to buy cheaper than in the market and the farmer getting more for his product; that that idea may be feasible to be worked out through the entire country; that it will take a great deal more than $8,000,000, but that would be a fair start.

Mr. KING. Of course, the Senator sees that any scheme of that kind would mean, first, the employment of a large number of men. They would be put under the civil service. It would mean the purchase of thousands of motor trucks. It would mean, of course, the establishment of shops in order to maintain the motor trucks, the purchase of depots, stations, warehouses, and the doing of all things necessary and incidental to carrying on a nation-wide transportation system.

As I have already shown, the civil service would be extended to the thousands of employees who would be required, and the retirement or pension system would mean, of course, additional burdens upon the country. It would mean, of course, contests for the establishment of routes. This would lead to political activity and all sorts of local intrigues and campaigns. It would become a political matter. It would be made the subject of constant logrolling, if I may be permitted the expression. Demands would be made in every part of the country, and the scheme would be the linking together of all the towns and cities and counties in all the States. It would mean not $8,000,000 or $80,000,000, but hundreds of millions. It is impossible to predict what the end of the scheme would be or the proportions which it would assume.

Mr. KENYON. I am not arguing against the position of the Senator; I have an open mind upon it; but I think the Fourth Assistant Postmaster General has a wonderful vision in the use of these trucks which he now asks to do this work, and the argument that it will give employment to more men is one of the arguments he cites in favor of it, especially in the present condition as to unemployment.

Mr. KING. I have not any doubt in the world that every faddist in the country will be here making some suggestion as to how the Federal Government can furnish employment to individuals and what legislation should be enacted.

Mr. KENYON. Does not the Senator really feel that that question in the next few months will become rather a serious question and one which may challenge the attention of Congress? If we can appropriate $100,000,000 to take care of people in Europe, we may be called upon to appropriate money to take care of people at home by giving them work.

Mr. KING. I agree with the Senator that it may become a matter of very great importance, and I am in favor of some rational and proper legislation that will meet in a comprehensive way the abnormal conditions created by the war.

Mr. KENYON. I think it is hardly fair to say that people who raise that question and want to have it considered are faddists. It is a very serious situation in this country and is becoming more so every week.

Mr. KING. I did not use the word by way of criticism of those who were submitting practical and rational plans for affirmative action upon the part of the Federal Government, but the Senator, as a man of affairs, as a sound statesman, and as one familiar with the various schemes and plots that are presented for consideration almost every day, knows that it is a fact that many faddists are here, that fantastic and absurd schemes are submitted calling for enormous appropriations. He knows that selfish persons are endeavoring to promote unworthy objects which would be of no utility or advantage and would cost the Government millions and hundreds of millions of dollars.

I do not want to be misunderstood in my opposition to the appropriation sought for the installation of the motor-truck system of transportation. I am opposing the appropriation not only because I think there is no authority for the Federal Government to establish a general transportation system to carry all kinds of freight and commerce in competition with private transportation companies, but I am opposed to the plan because it will not cheapen rates or prove advantageous to the farmers or the people generally, and it will also prove inexpedient and wasteful, and in the end it will cost the people of the United States hundreds of millions of dollars. Moreover, it will prevent the extension of our present railroad instrumentalities and prohibit private enterprise from constructing additional railroads or establishing motor-truck or other systems to carry the products of the people.

The Senator from Mississippi wants transportation charges diminished and better means of transportation for the agriculturists and those who produce commodities for shipment. I share the desires of the distinguished Senator. His questions would imply a belief that the establishment of governmental control of transportation, or at least the entrance by the Government into the field of transportation, would best secure this result. From this view I dissent.

In my opinion the Government's control of the instrumentalities employed in transportation will seriously injure the American people. As I have stated, it will prevent further development of railroad systems by private enterprise, and the operation of transportation instrumentalities by the Government will result in greatly increased rates of transportation. It will not only prevent the construction of additional steam and interurban electric lines but it will probably destroy some that are now being operated.

Mr. VARDAMAN. Mr. President, the Senator, of course, realizes that the building of good roads throughout the country and the advent of the automobile have very seriously reduced the traffic on the interurban and electric lines. Of course, the Senator would not be opposed to Government—State and National—aid in building public highways if the effect should happen to be the reduction of freight carried on the steam railroads as well as the electric railroads. The Senator would not deny the country people the luxury of good roads because it might incidentally reduce the profits of the railroads and electric lines.

Mr. KING. I think I have made my position clear in respect to the matters suggested by the Senator's question, but I want to be understood as stating that I do not approve of the proposition, urged with so much vigor from many directions, that

the Federal Government should build highways within the States.

Mr. VARDAMAN. Well, I am in favor of the Government contributing to it.

Mr. KING. I appreciate, Mr. President, that my position is not the popular one. I have frequently voiced my opposition to the constant efforts to secure appropriations from the Federal Treasury to be used by the States to meet obligations necessarily incurred in the discharge of the responsibility resting upon them. So strong have become the centripetal forces in the Republic that many of the people are demanding that the General Government assume powers not granted to it, and which, if exercised, would destroy the States. There is a nation-wide propaganda which, if successful, will place the entire educational system of the States in the hands of Federal officials. An innocent-looking measure has been prepared which calls for a department of education, with a secretary at the head thereof having a place in the President's Cabinet.

Under the pretext of securing uniformity in our educational system and advancing knowledge and learning, pleas are being made for appropriations from the Federal Treasury to be expended under the proposed department of education within the various States. Already the movement has reached such proportions that many people are suggesting that the Federal Government take over the entire system of education and that the necessary funds for such purpose be obtained from the National Government. Education, it is claimed, is a national affair, not a local one, and being national it must become a charge upon the General Government. The Senator from Mississippi has just referred to the question of the Federal Government building highways. The measure before us carries $200,000,000 to be expended in the States, ostensibly to aid in the construction of post roads. I have received letters from various parts of the United States urging that all roads and highways be taken over by the General Government, to the end that a uniform system of highways might be laid out and established and that the States might be relieved of the heavy burden of constructing and maintaining their own highways. Some of the communications urge that the universal use of automobiles brings the States closer together and that large numbers of people travel from State to State with automobiles, and that the highways are therefore interstate and should be constructed and maintained by the Federal Government. I have no doubt insistent demands will be made that the States be relieved of the construction of highways. Similar demands are made that the Government take over the entire system of public health. And some have suggested that in view of the fact that the Federal Government has so many penal statutes, and that to enforce them a large force of detectives, marshals, and peace officers is required, that the Federal Government should take over the enforcement of all criminal statutes. There can be no doubt but what the prohibition amendment to the Constitution of the United States, under which the Federal Government assumes control of what was formerly a matter clearly within the police powers of the State, has contributed to the undermining of our dual form of government and affords a reason for the mournful predictions that the States will be destroyed and a strongly centralized government be erected upon their ruins.

I have been proud to follow the great leaders of Democracy, many of whom came from the State of Mississippi and from other Southern States. In my younger days, with enthusiasm, I followed the banner which they carried, believing that they represented the undying principles of Jefferson, and that the triumph of the Democratic faith was essential to the preservation of the Union and of republican institutions. On more than one occasion in recent years, and particularly during the past two or three years, I have at times felt that some Democratic leaders were not always true to the traditions of the past and the faith of the fathers. Events seem to have contributed to the development of a strongly centralized Government. The Federal Treasury has been used to undermine the political integrity of the people and to seduce them from the path of safety and of constitutional government. It is so easy to justify an invasion of the rights of the people or of the States if it is accomplished by a liberal Federal appropriation. States are beginning to shrink from the discharge of duties and functions appertaining to the same, and many of the people are becoming enervated and turn with longing eyes to Washington and to the Federal Treasury for appropriations and Government aid with respect to individual or purely local and domestic affairs. The junior Senator from Colorado [Mr. THOMAS] pointed out in his brilliant speech delivered a few moments ago the growing disposition of the people in all parts of our country to come with cap in hand and bow at the shrine of this new federalism, and graciously beseech its smiles and favors. And the people, who are the source of power, and the States, which are the agents of the people, seem willing to barter away their birthright and their liberties for a mess of pottage, for the crumbs that fall from the table of this new Dives, this rich, consolidated, and omnipotent Federal Government. The Federal Government under this new faith is to extend its all-powerful arms throughout the land and heal all infirmities.

Mr. President, this is a day of heresies, of pseudophilosophies, and of dangerous and destructive isms. These are times that "try men's souls" perhaps to as great an extent as when the immortal Paine contended for freedom in the Revolutionary days.

This hour calls for strong men who believe in this Republic and who are willing to make every sacrifice for its preservation. Some persons are talking of organizing a "Liberty Party," a party that will defend and preserve the Constitution of the United States against the insidious and destructive influences by which our Government is menaced. I can not believe, Mr. President, that the Democratic Party will fail in this supreme crisis. The spirit of Jefferson and Jackson will again descend upon the people, and the love of liberty will illumine our minds and take possession of the hearts of the people. The undying words of Lincoln will burn into the souls of the patriotic people of this Republic, and they will cry out again and again that this Republic, the Government handed down to us by the fathers, which is a "government of the people, by the people, for the people, shall not perish from the earth."

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. The Senator has been, I believe, chief justice of the supreme court of his State.

Mr. KING. Associate justice.

Mr. McKELLAR. Then, of course, the Senator is familiar with the constitutional law and every other kind.

Mr. KING. I deny the soft impeachment.

Mr. McKELLAR. Does the Senator deny for one moment that this bill is constitutional? Has it not been settled time and time again that it is constitutional?

Mr. KING. I suppose the Senator is referring to the provision regarding roads.

Mr. McKELLAR. I am.

Mr. KING. I stated a few moments ago in replying to the question asked by the Senator from Florida that the Federal Government has the right to establish post roads.

Mr. McKELLAR. If it has the power to do it, how can those of us who believe in the exercise of that power be regarded as opposed to the Constitution?

Mr. KING. I did not say—at least I did not intend to say—that those who believe in the Government establishing post roads were opposed to the Constitution or did not believe in a constitutional form of government. The discussion has taken a wider range than the question of the Senator from Tennessee would imply. The Senator from Mississippi propounded questions which went further, and proceeding along a natural line I adverted to the general tendency toward a centralized and paternalistic government and the destructive forces undermining local self-government.

I want to say further, in response to the Senator from Tennessee, that, under the guise of establishing post roads already established, I do not justify the Federal Government in taking hundreds of millions of dollars out of an empty Treasury—if I may be permitted an Irishism—for the purpose of building local highways which should be constructed by the States.

Mr. President, during the consideration of the pending measure I have upon several occasions called attention to the enormous amount carried by this bill and to the unprecedented appropriations made by this Congress. The present bill asks for more than $600,000,000, an amount so great as to excite the amazement of those who earnestly and patriotically address themselves to the fiscal affairs of our country, and particularly to the question of devising ways and means to supply the needed revenue therefor. And yet this sum covers the expenditures of but one department of the Government for a period of 12 months only. This sum, stupendous as it is, is but a small part of the aggregate amount which will be appropriated for the fiscal year ending June 30, 1920. I have heretofore called attention to what I conceive to be a lack of appreciation of the true financial condition of the Public Treasury and to the difficulties that will be encountered in raising sufficient revenue to meet the enormous appropriations now being made. I have repeatedly said that I believed we were not examining with sufficient care the appropriation bills which we are called upon to enact into law and are expending more than a proper regard

for economy and a consideration of the Treasury warranted. In my opinion this Congress will be charged with extravagance and with the expenditure of millions that were not justified. Estimates from the various departments and from public officials are presented to the committees, and too often these estimates become the sole basis of committee recommendation and of congressional action; and even after estimates are submitted by various bureaus, departments, and Government officials supplementary and additional ones are quickly presented calling for millions and hundreds of millions of additional appropriations. I shall be charged with painful iteration and reiteration in challenging attention to this subject, but I have felt and still feel that many who are filling executive positions exhibit a selfishness and a disregard for the public interests that are reprehensible in the highest degree. There seem to be a mad race to see which bureau and department and governmental agency can obtain the largest appropriation.

Demands beyond all reason have been made for increases in the personnel of most of the departments, bureaus, and agencies of the Federal Government, and appeals and demands are daily and, indeed, hourly made to Congress for increases in salaries and compensations and for the extension of the activities and powers of executive agencies of the Government. The administration of the Federal Government is a costly undertaking. The war seems to have changed the vision of many charged with executive responsibility and caused them to lose sight of the practical, imperative, and immediate duties and responsibilities. They see in the war and in the situation now confronting us opportunities to exploit some fantastic theory and expand the scope and authority of the agency or department with which they are identified. Many wild and visionary schemes are suggested, some of which are destructive of the rights and powers of the States, and project the Federal Government into fields of activity not authorized by the Constitution of the United States. The most impracticable plans are proposed and enormous appropriations sought to aid in their execution. Suggestions that there are limitations upon the power of the Federal Government are regarded with derision, and those who submit the same are denounced as reactionaries and enemies in social progress.

There are many in the executive branches of the Government whose types are often discovered in private life. There are the "get-rich-quick" men, who seek to acquire wealth by some sort of legerdemain. The wise and prudent counsels of the past, which have brought business success and financial stability to individuals and to nations, are ignored. The slow paths of safety and prudence, leading to success, are disdained by men of this type. They promise riches to the credulous multitudes who look with wonder and undisguised admiration upon these new apostles of business and finance, and regard with ill-concealed contempt the paths pursued by the solid and substantial citizens who have given strength and vigor to the industrial and political fabric under which we live and the methods and policies lying at the base of the community and national economic and financial system. And so we find many clothed with governmental authority and many not in official position who seek a millennial era and "cure-all" for the evils to which governments and society are subject by some executive or legislative fiat or decree. But all of these visionary, impractical, and too often foolish and utopian plans and schemes rest upon the proposition that the Federal Government must take some vigorous action and expend millions of dollars wrung from the people by onerous tax laws. The idea of reforms and growth and progress by the application of natural laws is scouted. Arbitrary power, usurpation, and ruthless destruction of the individual and his rights are not only justified but approved. It is the same spirit that manifests itself in lynch law.

An individual who violates the law and whose crime is of such a character as to call for the death penalty under this spirit is quickly dragged to his death. His assailants are unable to wait for the slow operation of the law and refuse to conform to the established rules of organized society. And so we have those who are demanding not a government of the people, a government of growth and gradual but sure progress, a government which recognizes individual limitations and the lessons of history, but a government of officeholders and bureaucrats possessing unlimited power and given unlimited funds for expenditure. In other words, this spirit seeks not a government of law but of men—of officials and bureaus—which in such case would be a government of whims and caprices, an autocratic and repressive government. I protest against this new imperialism, this conference of power upon the National Government that belongs to the people and to the States, this establishment of an arbitrary, paternalistic Government, which stifles and destroys. This spirit is not new; it has manifested itself in various ages and in most nations.

There are those in the Government service to-day to whom the Constitution of the United States is a sealed book. There are many in the land to whom any form of government is obnoxious and others who are fanatical, bigoted, and intolerant. By drastic penal statutes they would control the habits and appetites of individuals and deny freedom of thought or liberty of action. Natural and normal conditions—conditions that flow from the sure evolution and progress of humanity—are regarded by some as so inapplicable as to demand destruction at the hands of the Government. These officials and others of like views would permit no individual liberty and can not conceive of any orderly growth and development. Miracles must be wrought, in their view, in the lives of individuals and nations. Traditions, environment, individual idiosyncrasies, immutable laws that lie at the base of human progress and development are disregarded. The reserved rights of the people, the powers conferred upon the States of the Union, and the limitations imposed upon the Federal Government are not only no admonition to the exercise of arbitrary power, but any claim that such rights and powers must be regarded and preserved is treated with contumely or anger. Lack of uniformity is regarded as detrimental to progress. This spirit at times seeks conformity to a crudely nebulous ideal type. The theory is that uniformity of thought and action, the conformation of conduct to arbitrary rule and standard, are productive of the best results and secure an ideal state of civilization. Tyrants and despots have sought such a course in all ages. Men and women were to think and act as the despot prescribed.

Laws and rescripts and minute regulations executed and enforced by unlimited and autocratic power it was believed would produce order and uniformity and progress. If an evil existed in the land, the decree of the sovereign was all that was required to remedy it. And so to-day we have in the executive departments of the Government and in colleges and elsewhere in our land a multitude of people who turn from the development of self, from the determination to individually grow and expand and to be differentiated from the mass around; they look to the Federal Government as the source of light and power. Instead of regarding themselves as being the fountain of power and life and growth and progress, the bestower of gifts upon government, they meekly look upon government as the source of power and authority, and seek guidance and direction from it and the bureaucracy which is being established.

Society is not a protoplasmic mass. We want no form of government that crushes individualism and reduces the units in the Government to a colloidal state. The chief glory of the American people is found in the fact that the men and the women of this land have developed to a high degree the spirit of self-initiative. The Nation is strong because the individuals of the Nation are strong. This Republic was founded by those who were protesting against this evil spirit just now seeking control in this land. Fiercely did our fathers contend for individual rights, the right of conscience, the right of free speech, the right of self-determination, and the right so essential to liberty—the right of local self-government. Their lives and their contests were against uniformity and homogeneity, against the lifeless protoplasmic condition that arbitrary power would create. And the differences in individuals led to differences in local governments; and so conditions made for variety and strength. I happen to have here an excerpt from the work of Mr. Collins, entitled "The Fourteenth Amendment and the States," which, I think, contains matter for serious consideration:

> Local self-government lies at the very foundation of a free country. The private affairs of a community should be regulated by that community without interference from the Federal Government so long as national interests are not directly affected. This ideal of local government is one of our most precious heritages from a heroic past. It is the school in which self-control, independence, and liberty are bred.
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> This is not a question of bringing to life a dead State rights doctrine. It is dealing with a fundamental principle of political science. It is by no means a dead issue. On the contrary, no student of public affairs can fail to see that the question of the relation of State functions to Federal control is one of the most vital problems in our body politic. These United States cover a vast territory. From ocean to ocean and from the Lakes to the Gulf may be found almost every variety of soil and climate. Physical environment and historical traditions have given rise to a diversity of custom and manner, thought, and speech. The occupations of the people of the different sections are characterized by fundamental and permanent differences. While we are essentially one people along broadly nationalistic lines, one meets with a variety of local conditions and habits of life as one journeys from Maine to California or from Key West to Oregon. This very diversity makes local government essential to justice. * * *
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> The fourteenth amendment is a paternal measure. It is the introduction of the principle of paternalism among a people whose genius is

foreign to such a political ideal. It has in it the germ which may retard their growth. Like all centralising measures, it tends to reduce the life of the people to a dead level of uniformity. In such a vast territory as the United States, occupied by a people who for centuries have been accustomed to trust themselves in the regulation of their domestic affairs, the stimulus of local self-government is essential to their natural development. * * *

Harold J. Laski, in his admirable work entitled "The Problem of Sovereignty," discusses with clearness and profound thought some aspects of the question which I am in a casual and disconnected way presenting. He says:

* * * You can not make men complete by act of Congress. They have wills of their own that the statute does not form. Everywhere we have diversity, plurality. It seems, indeed, time to admit its existence. It is really difficult to understand what special merit attaches to unity. Germany points proudly to the complete absence of differences among her citizens. Contempt is openly expressed for a country like the United States, where diversity of opinion is most clearly apparent. * * *

In fact, there is real moral insufficiency in any theory of the State which impresses upon its numbers the need for any consistent uniformity of outlook. The fact that no one in Germany doubts her rightness in sinking, for example, the *Lusitania*, does not morally, or even politically, justify her position in that regard. It is simply evidence that in Germany to-day necessity has exacted the sacrifice of right to authority. Faith there is more urgent than thought. We prefer a country where the sovereignty is distributed, where the richness of the corporate lives is insurance against such sterility of outlook. The Austinian theory of sovereignty, ungenial enough even in its abstract presentation, would as a fact breed simple servility were it capable of practical application. There can be no servility in a State that divides its effective governance. The necessity of balancing interests, the need for combining opinions, results in a wealth of political thought such as no State where the real authority is single can attain. The price of liberty is exactly divergence of opinion on fundamental questions. (Pp. 272–274.)

Further on in the volume Mr. Laski says:

The growth of national government, with the consequent strengthening of its sovereign character, leads, as I have urged, to its increasing centralization. This is not true of America alone. * * * One of the resultant and fundamental problems Great Britain will have to face when its reconstruction comes is precisely this. Its local life will have to be made real. It will undergo revivification. Its units of local government will have to be made real. They will have to receive a sovereignty that is something more than an anemic reflex of the central power. An interest in local problems will have to be aroused not less keen and vivid than the interest in national problems. Nor is this less true of France. Her local group life has been sacrificed to the absorptiveness of Paris with the result that since the fall of Napoleon France has been striving to regain the local creativeness now stricken with impotence. The vigorous self-government of the modern German city derives from the at any rate partial admission by higher authority that its powers to be responsible must be complete. It was there remembered, as in England and France it has been forgotten, that the tissue of the civic parts changes more frequently than the tissue of the national whole. Since in the latter countries an adequate nutrition of final responsibility was not provided, the result has been in a real sense death from starvation.

I know well enough that nothing like this stage has been reached in the United States. Yet the difficulty is ominously near. No kind of working compromise has been reached between the States on the one hand and the Federal Government on the other. * * *

Speaking of the attempt to destroy the States in order to secure greater uniformity of conduct and to augment the powers of the Federal Government, Mr. Laski proceeds:

A typical instance is that of prohibition. Reformers in Maine do not see why they should suffer for the stupid inability of New York to control its liquor traffic. Congress, they say, should legislate for the Nation and prevent either the enactment of anomalies or the retention of so pathetic an ancestralism as a taste for beer. Now, I waive the whole question of whether Maine does in fact benefit from its more acute perception; reputable authority assures me that the contrary is the case. But the real question to which I want an adequate reply—more convincing than rhetorical statements of the case for prohibition—is whether America will not gain more from the slow self-struggle of New York to intelligence than from the irrigating imposition from without of a belief to which it has not been converted? I can not avoid the emphatic opinion that in this, as in other matters, nature is not saltatory. Politically we probably gain more from the slow and often painful erosion of prejudice by education than when we attempt its elimination by mere drastic methods. It is, of course, annoying for those of us who consider we have found the truth; but if we are to have democratic government we must bear with the inconvenience of democracy.

Mr. President, war seriously disturbs the normal functions of the State, and the local units or subdivisions of the State suffer more seriously. The tendency during war is toward centralization of power. That is why so often in the past the people have demanded a dictatorship when the flames of war envelop them. In the Civil War extraordinary powers were conferred upon the Executive of the Nation, and in this war great powers have been conferred upon the President of the United States. Millions of men were conscripted and placed under his control. Billions of dollars were taken from the people and given to him for expenditure. The power to cut off trade with foreign nations was placed in his hands. The means of transportation were taken from the people who owned them and intrusted to his hands. The powers of the President were regal in their extent, but with the termination of the war every effort should be made to return to the ways of peace at the earliest opportunity. The heavy hand of the Federal Government, exercised for the purpose of war, should be withdrawn from the States and from the people when the war ends. The extraordinary powers exercised by executive departments and branches of the Government should cease when the reason calling for their exercise ceases. Because war called for a centralization of power in the Federal Government, peace demands decentralization and an assumption by the States and the people of the powers belonging to them. We warred against an autocratic form of government; there must be no attempt to establish an arbitrary and autocratic form of government in this Republic. Germany sought to concentrate all power in the Kaiser—in the executive branch of the Government. It weakened the States, rendered more or less impotent the local governmental units, and sought to prevent the development of the individual. The State was supreme and the Kaiser was the supreme lord over all. All remedies for social, industrial, economic, or political ills emanated from the Crown. There was efficient government, but it was arbitrary and autocratic. To overthrow this autocracy which threatened the world we entered the war, and yet there are those within our land who seek to crush the individual, destroy the States, and erect a despotic federalism. The spirit of defeated autocracy seems to seek refuge in the heads of some foolish and unpatriotic Americans. Have we aided in exorcising the spirit of tyranny and bureaucracy and a baneful paralyzing paternalism from the central empires only that it might take possession of those who gloriously fought for humanity?

We are daily importuned to have the Federal Government enter upon plans which Germany devised and carried into execution. Those who now speak out for the States and for their maintenance and for the preservation of local self-government find unsympathetic auditors. If an Executive should now submit an address as Thomas Jefferson did when he delivered his first inaugural address, in 1801, and speak as he did, I apprehend that the reception would be less cordial than if some ephemeral, visionary plan were advocated which promised great financial rewards to the States and material advantages to the people. Permit me to quote what Jefferson did say upon the occasion mentioned:

The support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies, I deem (one of the) essential principles of our Government, and consequently (one) which ought to shape its administration.

Let me quote again from Jefferson. In a letter to Joseph Cabell, in 1816, he wrote:

What has destroyed the liberty and the rights of man in every government which has ever existed under the sun? The generalizing and concentrating all cares and powers into one body, no matter whether of the autocrats of Russia or France or of the aristocrats of a Venetian Senate.

And upon another occasion he said:

It is not by the consolidation or concentration of powers, but by their distribution that good government is effected. Were not this great country already divided into States that division must be made, that each might do for itself what concerns itself directly and what it can so much better do than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards, to manage minuter details; and every ward into farms, to be governed each by its individual proprietor. * * * It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

Students of the life of Lincoln know that he found authority for his political creed in the writings of the immortal Jefferson. Sociology, as a science, was scarcely known in Jefferson's time and had not reached manhood's estate in Lincoln's day, and yet these great Americans knew human nature as few men ever did and understood the causes advancing or retarding humanity's progress. The precepts of Jefferson, whose political philosophy is sufficient for all time, should again and again be preached to our dull ears.

When a well-nigh irresistible current threatens to sweep the States into a destructive maelstrom of federalism there is need for strong arms and stout hearts. The creed of a new nationalism is illusory and deadly. The faith of the fathers is still the true faith, the vital, living force that will save the people and preserve the Republic. Even this new nationalism is differently interpreted, but perhaps its truest exponents are those who regard it as the prerogative and the function of the Federal Government to discharge all of the duties resting upon the States, and, in addition to its political powers, it is to bear the social and industrial burdens and activities now discharged by individuals and local communities. In this view we would all live and move and have our being within the influence and power of a mighty centralized Nation. States would be mere shells out of which all life had departed. They would be vanishing shadows reflecting scarcely the forms of once puissant States.

Mr. President, on a number of occasions during the past two years I have ventured to raise my voice against these centralizing forces, against the corroding influences which destroy the strong tissue of individualism and what should be the indestructible fabric of our State governments. I have felt that the preservation of this Republic, the vitalization of the American people by the spirit which the faith of the fathers inspires, would bring to this Nation greatness and power, and to the people under the flag unimpaired freedom, material progress, and spiritual and intellectual development. I have felt that the Father who inspired the Constitution and guided the destinies of this Republic would outstretch His arm and preserve this Nation from the perilous paths that lead to destruction. But I confess that at times I have experienced apprehensions and doubts as to the future when I have encountered the conflicting currents that drive with blinding force throughout the land. I still feel that the rising floods will ultimately dash in vain against this great temple of liberty resting upon the heights of the New World, and that out of the storm, world-wide now in its extent, there will come peace and calm, and this Nation will extend its healing wings to minister to the sorrows of the world. But now more than ever should patriotic Americans lift their voices in defense of individual liberty, the protection of the States, and the preservation of the Republic.

We need, in the language of Mr. John M. Harlan, not a "new nationalism, but rather a new statehood":

> We need no crusade for the enlargement of the powers of the Nation. * * * The great need of to-day is that the States should awaken to their duty to exercise all their rightful powers and functions under the Constitution, and that they should do for themselves everything to the doing of which these powers, when intelligently exercised, are adequate. We must magnify the importance of the State legislatures and the value of the State courts. * * * What is needed is not doctrinaire theorizing about the rights of the States, but the prompt performance by the States of their duties, the active and full use of the powers and functions of the States toward solving the questions that now crowd upon the American people for solution. * * *
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> In the United Kingdom of Great Britain and Ireland it has lately been proposed to unload much of the work now being done by the Imperial Government upon local parliaments, first in Ireland and later probably in Scotland, Wales, and England. Careful thinkers, however they may differ as to the details of the pending home rule bill for Ireland, agree that the underlying principle of this process of devolution, when fully carried out, will greatly strengthen the United Kingdom and the British Empire because of the fuller and more wholesome development of each of the four constituent parts of the United Kingdom and the liberation of the Parliament at Westminster for the larger questions affecting the Empire as a whole. If in those small but thickly populated islands of Great Britain and Ireland the wisest men think that the development of strong local parliaments for each of the four constituents—England, Scotland, Wales, and Ireland—is essential to the best and largest development of the United Kingdom as a whole, what can be said as to the very opposite tendency which in recent years has been permitted to go unchecked in this continental Republic, covering an area equal to all of Europe except Russia, and with a population soon probably to equal that of Great Britain, Ireland, France, and Germany combined? Fortunate from the very beginning in having separate State governments with clearly defined areas of activity, we have since the Civil War, and especially during the last 20 years, permitted the State governments to become weaker and weaker and our regard for their functions to become less and less. The time has come to reverse that process if along with a national authority strong enough to preserve, promote, and protect us in all our common interests we are to continue to enjoy local self-government.
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> In all the States we must do what Henry Clay was wont to do for old Kentucky. We must foster a strong and wholesome State pride. * * *

Judge Henry Wade Rogers, in his thoughtful work entitled "The Constitution and the New Federalism," has admonished us of the dangers of the centralizing forces of the hour. He states:

> Once the question was whether the States would destroy the National Government. Now the question seems to be whether the National Government shall be permitted to destroy the States. It was the fear that that question might sometimes arise which led Samuel Adams and John Hancock in Massachusetts, George Clinton in New York, and Patrick Henry in Virginia to withhold for so long their assent to the ratification of the Constitution. But under the Constitution the States are as indestructible as the Union. The Constitution looks to an indestructible Union composed of indestructible States. Actual abolition of the States is impossible. There are, however, forces in operation which seek to reduce the States to administrative departments like those of France. There is an increasing tendency to regard a State as a mere geographical expression rather than a political division of the country.
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> * * * We are threatened with a revival of federalism—federalism that is more extreme and radical than the leaders of the old Federal Party ever countenanced. The argument proceeds on the assumption that the States have failed to perform their duty properly, so that great evils have grown up which the States can not or will not remedy, and from which we should have been free if only the Federal Government had possessed the authority and not the States.
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> That the evils exist is conceded. That the States have not done their full duty is also conceded. But that the Federal Government would have done better is a mere assumption, and one I am not prepared to accept. Congress has now in the Territories and District of Columbia all the powers which the State governments possess; yet the legislation respecting the corporations which Congress has enacted has not been better than the legislation of the States on the same subject.

We have received commissions from the people and have sworn to uphold and defend the Constitution of the United States. It is not an idle ceremony but one pregnant with meaning and significance. We should uphold and defend the Constitution of our country, not only against foes from without but foes from within. This Nation will never be successfully assailed from without. If it should ever fall, or cease to function as designed by the fathers, it will be because of the weakness, vanity, infidelity, or treason of the people themselves.

Vocational Education for Disabled Soldiers, Sailors, and Marines.

EXTENSION OF REMARKS

OF

HON. JOHN F. MILLER,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. MILLER of Washington. Mr. Speaker, there is no more important work being carried on in this country at the present time than that being done by the Federal Board for Vocational Education in the reeducation of disabled soldiers, sailors, and marines. I desire to call the attention of the Congress and the country to the way in which this work is being expedited and perfected through a cooperative arrangement between the Federal board and a patriotic private agency.

Heretofore the plight of the disabled soldier has not been a happy one. The Government was grateful to him for the sacrifice he had made and did its best to atone to him and requite him. It used the only means it knew of, and that was a monetary pension, usually inadequate, and, at best, a poor return. For those who were so badly disabled that they could not work, soldiers' homes were provided, but the home provided by the Government was not, at best, the kind of home the soldier would provide for himself. These soldiers' homes filled with men without vocational training and with no physical activities of a useful character, and without any home influences about them, failed to bring to the soldier the personal peace of mind so essential to his happiness and well-being.

In the war which has just come to a conclusion it was found quite by accident that disabled men could be retrained and taught to do some one thing as well as a man who had never been injured. This discovery was made in France at the home of M. Schollaert, a Belgian gentleman, who took in and cared for a number of disabled, wounded Belgian soldiers who had no asylum in their own country. In their days of convalescence they happened to amuse themselves trying to work at various trades with which they were familiar. It was noted that their recovery was stimulated; and those incapacitated from following their former trades were managing to acquire a knowledge of some other trade not incompatible with the injuries sustained. The discovery was immediately developed by the Belgian Government, by France, by England, and by Canada until it has become one of the real and permanent benefits arising out of this war; for by this accidental discovery and its growth to present importance civilization has found that there is no necessity for the existence of a man unable to earn; that he can be of use, notwithstanding the seriousness of his injury.

Under the forced draft of necessity this system has been perfected to a wonderful degree. The United States Government has adopted it, and is now retraining and vocationally rehabilitating such of its disabled soldiers, sailors, and marines as require it, in order that they may continue to be useful individuals in civil life. This work was confided by Congress, without a dissenting vote, to the Federal Board for Vocational Education, the bill being approved June 27, 1918, and within less than nine weeks afterwards the first man was placed for reeducation. The United States system goes further than that of most of the continental countries, for in addition to training the disabled man it also finds a place for him in which to work at whatever he has been trained to do. The Federal board has a placement division and so arranges matters that when the men under training are competent in their respective lines employment will be ready and waiting for them.

The Government allows a support fund of at least $65 per month for each man while he is undergoing this process of rehabilitation, with allotments to his dependents upon a fairly liberal scale. The reeducation is absolutely free, all expense

of books, tuition, library, laboratory, or other fees being paid by the Government. The training is given in the best institutions of the United States, ranging from Harvard and Yale, Massachusetts Institute of Technology, Case School of Applied Science, Columbia University, and the various land-grant colleges of the States, to agricultural schools, scientific schools, trade and industrial schools, and, in many instances, direct to the industries and commerce. Altogether there are some 500 trades, professions, occupations, callings, and industries from which a choice may be made by the disabled man. He is by no means confined to manual trades or occupations. The sole animating and dominating thought and object of the Government, as expressed and carried out through its agent, the Federal Board for Vocational Education, is to do that thing for the disabled man which will insure to him the greatest possibility of future usefulness, happiness, and contentment, according to his capabilities.

Fourteen district or branch offices have been established by the Federal board, respectively, at Boston, New York, Philadelphia, Washington, Atlanta, New Orleans, Cincinnati, Chicago, St. Louis, Minneapolis, Denver, San Francisco, Seattle, and Dallas. These district offices were established so as to enable the Federal board to reach disabled men in all sections of the country and to handle their cases with greater dispatch and thoroughness than if the work was all concentrated at Washington. The total Federal force of the Government scattered throughout the 14 districts is about 250 men. All of them have qualified under civil-service requirements for the special positions which they hold.

By the policy of placing these disabled men in the existing institutions of the country it is figured that the Government has been saved over $25,000,000, which would have been a reasonable cost had all the men in training and to be trained been assembled in one or two institutions especially provided and controlled by the Federal Government. By using the existing institutions of America, representing an investment of over $300,000,000, there is available for the disabled man an infinitely greater opportunity than could possibly be given under any institution inaugurated especially for this work. Placing the men in existing institutions instead of herding them in great camps of crippled and disabled men has a beneficial effect upon the men themselves, causing them to lose sight of their disabilities and to minimize them and concentrate their attention upon the capabilities remaining to them.

This is, in effect, the secret—if there is a secret—about the success of rehabilitation work, which is simply to disregard the disability and concentrate on the remaining assets, taking them and training the men to make use of them to their fullest extent. It may be illustrated by the case of a man who has lost both his legs. He could be made into a very efficient tailor, doubtless, because the tailor's work is done with his hands, and the presence or absence of pedal extremities has no bearing whatever upon the character of work he does or his ability to do work with his hands and arms. The same principle prevails throughout many varieties of work.

This, in brief, is the program of the United States Government for its disabled men. In addition to this retraining by which these men are often enabled to earn wages greatly in excess of those which they were making in civil life before the war, they are given their compensation for the injuries received, and this compensation is absolutely unaffected by any increase in earning capacity occasioned by the retraining. This compensation begins after the training allowance ends, and this training allowance ends when the man has been made competent in his line and is placed in a position and goes upon the pay roll. Then his compensation starts and is in addition to whatever he may earn.

There will be no more useless, embittered men wearing their lives away in soldiers' homes. There will be no more of veterans depending upon a pittance of a pension, feeling that they are apart from the ordinary run of men and that the doors of opportunity are closed to them. Each man will be restored to the equality of opportunity and the light of hope and happiness rekindled in each bosom.

Congress has passed the best, and on the whole the most liberal, law of all the countries for the reeducation and placement in employment of the disabled heroes of the war and will not spare the money necessary to extend the benefits of this act to all those wounded or diseased in the service of the country. Private organizations of a semipublic character, like the American Red Cross and the National Catholic War Council, have given liberally of their funds to the special fund for rehabilitation provided under the act by which gifts and donations may be received and used to supplement the funds provided by Congress to carry out its provisions.

Some things absolutely necessary, however, to the success of this work were not and probably could not be provided or anticipated by the Congress when the vocational-rehabilitation act was passed. Experience has shown that publicity through every possible means must be extended to every portion of the country—cities, towns, hamlets, and lonely farms—in order to furnish information to discharged men and to their families concerning the liberal provisions which have been made to make the future of disabled men safe for themselves and their dependents. This requires the use of bulletin, pamphlet, tract, magazine, newspaper, billboard, and the film service, which is our greatest agency to-day for reaching the great mass of the American people. Such a program involves in many of its aspects an expenditure of money such as a public agency probably could not be expected to provide. Seeing this, the National Elks War Relief Commission has arranged to underwrite for a voluntary committee working in cooperation with the Federal board the cost of a program of publicity which shall inform every disabled man and his family of his rights and opportunities and to call to the attention of the employers, wageworkers, and the public their duty of cooperation in this matter and the ways in which they can be of most vital help.

Many men who are entitled to the benefits of the war-risk insurance act and of the vocational-rehabilitation act have been discharged from the service and are scattered throughout the country. In many instances these men are not even aware up to the present time of their rights and opportunities. They are knocking in rapidly increasing numbers at the door of the district offices of the Federal board asking for help. They are without their Army pay as discharged men. Their allotments and allowances to their dependents have ceased. With their handicaps they are unable to earn a living. While their compensation cases are being adjudicated it has been impossible for the Federal board to put these men primarily into training. They suffer privation and humiliation and oftentimes give up in despair their hope of taking the reeducation which the Federal board is willing to provide for them as soon as they are adjudged to be compensable cases. By the use of the fund which the National Elks War Relief Commission has provided an act can be performed lying entirely outside the purview of the vocational-rehabilitation act, and absolutely necessary for its successful administration and to the welfare of the men for whom the act was designed. Loans to the men can be made promptly at the district offices of the Federal board in order that they may be put into training immediately. This is necessary since it is not possible for any Government agency to pay money to men in advance to put them in training. Arrangements will be made so that these loans will be paid back by the men as soon as they have received the amounts due them from the Government. In this way the soldier will be treated not as a problem of social relief but as a soldier of the Republic in straitened circumstances because assets due him from the Government are unpaid. As the result it will be possible for the Federal board to put at least a thousand men in training almost immediately whose cases have been dragging for many weeks.

Rising to meet this situation the War Risk Insurance Bureau has promptly agreed that on the face of certain records furnished by the Federal board it will accept the cases as being prima facie compensable and will place the man upon their compensation lists and send his checks to him promptly. With these two devices it will be possible to speed up from 60 to 120 days all the whole program of the care and treatment, education, and placement of disabled soldiers, sailors, and marines.

With the same vision and broad liberality the National Elks War Relief Commission has provided through its funds for the entire support and training of these worthy men who, because of any technicality, lie outside the purview of the war-risk insurance act, and therefore of the vocational-rehabilitation act. A man who was injured by some accident previous to October 6, 1917, will be cared for under this arrangement. Those who, for technical reasons, are ruled not to be entitled to compensation, who need retraining because of injuries or disease incurred in the service, will be cared for. In addition, those American citizens who rushed to the support of the allies before we entered the war by joining one of the allied armies, or who since we entered the war have, in the spirit of adventure, entered other services and were injured while fighting the Hun, are to be reeducated and placed in employment through the medium of the fund which the Elks have provided. As the Members of Congress will instantly recognize, this is not possible under the war-risk insurance act or the vocational-rehabilitation act, since both provide only for those who are disabled in the service of the United States against Germany and her allies. Foreigners serving in our National Army are entitled to the benefit of the two acts, but American citizens serving with the allies are not. Hence

the liberal provision which the Elks have made to cover their cases, in order that they, too, may have a chance for the future, and the country may be saved from the sad spectacle of dependency on the part of those willing to give their all in the fight for democracy.

Realizing the above program and desiring to participate directly in it, the Benevolent and Protective Order of Elks, through the National Elks War Relief Commission, has placed at the disposal of the Federal board a quarter of a million dollars to be used in this humane and practical work, enabling the Federal board to carry on much of its work without being subjected to the delay of technical rules and regulations, which, in many cases, would defeat the object of the vocational-education law.

The Elks fund thus provided is the first instance of the kind in the history of the country where a great patriotic fraternal organization has come to the aid of the Government in so timely, helpful, and substantial a manner. This money will be used to help disabled men who desire to enter immediately upon vocational training, but who are without funds to meet their immediate needs.

The necessity for quick action in getting these men into training and the obstacles facing the Federal board by a lack of elasticity in the appropriation of Government funds all tend toward bringing about a situation in which thousands of worthy cases would themselves suffer, as well as the helpless and innocent dependents of these soldiers, sailors, and marines who have been victims of war. The Elks, with their generosity, have enabled the Federal board to act quickly and rescue many of these cases and prevent a continuance of conditions which in numerous instances have been found most distressing.

EXTENSION OF REMARKS
OF
HON. ISAAC SIEGEL,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. SIEGEL. Mr. Speaker, on January 13 I introduced a bill for a change in the court-martial procedure, and on January 23, on the floor of the House, I discussed a number of military trials which showed that rank injustice had been perpetrated. On February 3 I introduced a resolution which would have resulted in a most thorough investigation of these outrages, but was unable to obtain consideration for it, although I appeared in person before the Rules Committee and urged a favorable report. Since then, on March 4, there appeared a defense of the procedure in the CONGRESSIONAL RECORD, in an extension of remarks by Representative LUNN, which quoted a letter of Gen. Crowder made public for the first time on the very day that Congress was adjourning.

Gen. Crowder is forced to admit the injustices practiced in 13 cases, and has not answered 12 cases. When it is claimed that the proper authorities did not have knowledge of these conditions, then the memories of some gentlemen must have grown very weak, as is shown from the following article from the New York Globe of March 12, 1919, which reads as follows:

CROWDER AND COURTS-MARTIAL.

EDITOR GLOBE: When Secretary of War Baker in his blanket defense of Judge Advocate Gen. Crowder stated that he, the Secretary of War, did not recall prior to the war that "our military system of law ever became the subject of public attack on the ground of its structural defects" he placed himself on record as being probably the only officer or official connected with the War Department who was not aware that in 1914 an elaborate series of articles setting forth case after case of cruelty, injustice, and abuse that shocked the commonest instincts of justice was published in Harper's Weekly.

These articles were based upon hundreds of cases in the War Department and which the Judge Advocate General's Department permitted me to go over. Later, when I was fortified with facts and a knowledge of the department's methods, I asked questions which proved embarrassing and I was peremptorily denied further access to these public records of public court-martial trials.

Every charge that I then made against the Judge Advocate General's Department for its abuses and its injustices has been amply justified in the recent investigation by a committee of Congress and by the report of the special committee of the American Bar Association appointed to probe these War Department scandals in the Judge Advocate General's Department.

So conspicuous was this exposure of the abuses, both structural and incidental, in the court-martial system that it is amazing that Secretary Baker should deny all knowledge of it in his eagerness to defend Judge Advocate Gen. Crowder's administration, for the Army and Navy Club, of which, I believe, Gen. Crowder himself is a member, so objected to any breath of criticism or exposure of Army abuses that Harper's Weekly, which published the exposures, was barred from its reading room. Innumerable letters which I received from officers and enlisted men of our Army at that time showed that these exposures were the talk of every Army post and Army garrison in the United States.

Case after case I cited merely as illustrations to prove that enlisted men were inhumanly punished by long sentences at hard labor in prison for slight infractions of discipline. I charged that the court-martial system in Gen. Crowder's department was an ancient system, taken, substantially unchanged, then and since, from the British Army court-martial system of 140 years ago, when armies were recruited by press gangs from the illiterate scum of population and beaten into the ranks as soldiers. I charged that habitually enlisted men were punished in times of peace with reckless severity and prison sentences for slight infractions of discipline when officers who committed crimes of embezzlement and fraud against the soldiers under them, with whose funds they were intrusted, were lightly punished by a simple dismissal from the Army without prison sentence.

One of these cases was a violation of regulations which resulted in manslaughter, and not a word of which was whispered into the trial—on a trivial charge—of the officer responsible; nor was he even dismissed for the death of the soldier in his command, whose death was due to the violation.

Another incident was that of a soldier who was punished by two separate sentences of two years each at hard labor in prison, because he had been tried by the court-martial upon two charges, each being merely separate descriptions of the identical offense, the maximum for the offense itself being two years in prison.

There is not an officer in the Regular Army of four years ago who is not thoroughly familiar with the Harper's Weekly exposure of the court-martial abuses, even if Secretary Baker himself is not.

The letter which Secretary of War Baker asked Gen. Crowder to write in his own defense is unique. In no way does Judge Advocate Gen. Crowder attempt to meet the issue or deny the exposures of the congressional committee as to abuses and inhumanities in his department; Gen. Crowder merely attacks the courage of Gen. Ansell for making these abuses public.

As to the legal argument, Gen. Crowder, in substance, states that he was powerless to revise the abuses of lack of revision of the court-martial cases, because it was necessary for Congress to pass adequate legislation. This is disingenuous. Congress passes the organic law, the Articles of War, and every legislative enactment governing the War Department and other governmental departments. But, like every other great governmental department, Congress also empowers that department to establish its own rules and regulations under the congressional organic law for the administration of the department. These rules are covered in the department in a series of volumes known as the Opinions of the Judge Advocate General, which are the departmental interpretations of the organic law and are merely regulations only for the department, but which may be changed by the department itself, since the department itself is the supreme authority as to its own regulations.

Gen. Crowder has simply held that he has no power of review, which is his opinion as Judge Advocate General. He could also have held that he had power of review of court-martial cases as being the interpretation of the organic law, and there would be no one to gainsay him in either case. Gen. Crowder had the power to reverse the opinions of the Judge Advocate General that preceded him in a similar way to that in which any departmental chief can, where no legal matter is involved. For years past Gen. Crowder has elected to defend the court-martial system in its most inhuman, unjust, and outrageous and abusive forms, and on his head alone is the responsibility for the present general public condemnation.

It is because Gen. Crowder has believed that justice has nothing to do with the court-martial system that he has held to the theory that his power should only concern itself with the clerical and routine correctness of the court-martial procedure. It is Gen. Crowder's duty under the law to regulate the administration of justice by court-martial, and he has interpreted it to uphold an archaic and abusive court-martial system instead of interpreting it according to the decencies and justice of American fair dealing in Army life.

CHARLES JOHNSON POST.

NEW YORK, *March 11.*

It will be the duty of the Sixty-sixth Congress to most thoroughly look into the whole court-martial procedure and see that justice in the fullest sense of the term is obtained for the men now unfairly and unjustly incarcerated. The light of day must be thrown into all of these proceedings and the procedure of the dark ages eradicated.

Work of the War Congress.

EXTENSION OF REMARKS
OF
HON. ERNEST LUNDEEN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. LUNDEEN. Mr. Speaker, the world-war war Congress will not soon be forgotten. In addition to the regular work which falls to each Congress in legislating for ordinary peacetime needs, the war Congress undertook at a moment's notice the enormous and unprecedented task of organizing and equipping armies of millions of men for the purpose of carrying on war across more than 3,000 miles of ocean and raising revenues and loans amounting to scores of billions of dollars. Our interest charges are now approaching the staggering sum of $1,500,000,000 a year, nearly twice the national debt at the beginning of the world war. The War Department up to the 1st of March, 1919, states that 107,444 deaths occurred from all causes in the American Expeditionary Forces and among the troops in the

United States. Of these, 72,951 were in the Expeditionary Forces, and of this number 20,829 died of disease, 48,768 from injuries received in battle, and 3,354 from all other causes. The figures show that the total number of deaths from disease exceeded the total battle casualties by more than 5,000.

All battle casualties were 240,197. One million three hundred and ninety thousand United States men actually participated in engagements against the enemy. So huge were the expenditures that a road 60 feet wide and 25,000 miles long, circling the earth, could be paved with $1 bills so expended.

WASTING THE REPUBLIC'S WEALTH.

A great deal of this expense could have been avoided had America accepted a reasonable program of preparedness prior to our entering into the war; so also if we had refused to finance the allied nations and financed only our own forces when we entered the world conflict. The allies boasted a great preponderance in men, money, and munitions over the central powers. I have always held that there was no necessity for bringing America to the verge of bankruptcy by loaning money to foreigners, some of whom will never repay the amount loaned to them, or even the interest on the same. They do not and will not fully appreciate what we have done for them. "There can be no greater error than to expect or calculate upon real favors from nation to nation." (Washington's Farewell Address.)

UNCONSTITUTIONAL CONSCRIPTION ACT.

Conscription for foreign service was forced upon the American people by Congress without their having anything to say about it, contrary to the plain provision of the United States Constitution. I say this though I am well aware of the recent decision of the Supreme Court stating that the law was constitutional. The whole Supreme Court, in my opinion, does not balance equal as against the opinion of Daniel Webster, who held such a law unconstitutional and made a speech against it in Congress. Others opposed the bill, and it was defeated, and the Sixty-sixth Congress ought at once to repeal this unconstitutional law.

AN EPOCHAL CONGRESS.

The opening days of the Sixty-fifth Congress marked an epoch in the national history of the United States. They marked an epoch in the history of the world. The short closing session of the Sixty-fourth Congress followed a bitterly contested national election, which was fought and won on the issue of peace or war. The slogan "He kept us out of war" won the election for the Democratic Party. The city of Minneapolis gave an overwhelming vote to Mr. Wilson on the strength of that campaign cry. Notwithstanding the heavy Democratic vote for President, I was elected congressional Representative on the Republican ticket by the fifth district of our State. This district comprises the town of St. Anthony and 10 wards in the city of Minneapolis. My platform was "America first. Absolute neutrality."

AMERICA FIRST—ABSOLUTE NEUTRALITY.

In my personal campaign the slogan was "America first. Absolute neutrality." My record in Congress shows that this was not merely an empty phrase, coined for the purpose of winning the election. I have placed and shall continue to place "America first" in every vote.

Immediately after the November, 1916, election I closed my affairs in Minneapolis and went to Washington, D. C., four months before I took my seat in Congress. This I did in order to utilize the closing session of the Sixty-fourth Congress in familiarizing myself with the duties of a Congressman. The session closed on March 4, 1917. In the ordinary course of events the Sixty-fifth Congress would not have convened until December. It became evident that an extra session would be called, and I remained in Washington through the short period of adjournment.

Immediately following the national election, won on the platform of "He kept us out of war," the intention of the President to force a declaration of war against Germany became apparent. The extra session of Congress was called for April 16, 1917.

THE FIRST PEOPLE'S VOTE ON WAR.

Believing that a matter involving the life and fortune of every man, woman, and child in America should not be decided without the approval of those who must, in the event of war, bear the lion's share of the burden, I determined that my vote should not be counted until my constituents had been given an opportunity to declare their wishes. I therefore submitted the question of peace or war to the 54,000 voters in the fifth district of Minnesota. This was the first time in the history of our Republic that the people of a congressional district were given an opportunity to vote for or against war.

The response to my referendum ballots was prompt and unmistakable in sentiment. The returns showed a vote of 8 to 1 against war.

PRESIDENT FORCES WAR—PEOPLE OPPOSED.

Every day that passed it became more and more apparent that the plain people did not favor war.

The date for the convening of Congress was suddenly changed by the President from April 16 to April 2. On the evening of that day, at 8.30 p. m., President Wilson appeared before Congress and asked for a formal declaration of war against Germany.

VOTED ON WAR AS PEOPLE VOTED.

Four days later the war resolution came before the House for a vote. I had received the mandate of my constituents. In obedience to that mandate, I was one of 50 in the House who voted against war. For that vote I offer neither apology nor excuse. My speech in the House on April 5, 1917, on "The world war" sets forth my views on this great issue. Every contention which I made and every argument which I advanced at that time has been justified and confirmed by later events.

VOTED AGAINST CONSCRIPTION.

Consistent with my vote against war with Germany, I was one of 24 Members in the House who voted against conscription for foreign service. This vote was also in accordance with the wishes of my constituents, as well as with my own principles. I voted for a volunteer army for foreign service, and offered my personal services in that army.

THE PRESIDENT IGNORED ROOSEVELT AND THOSE WHO WISHED TO GO WITH HIM.

Furthermore, I have always advocated an adequate preparedness in State and Nation, and shall continue to vote for an adequate, sane, and sensible program of preparedness whenever opportunity offers.

SUPPORTED WAR WHEN DECLARED.

Having done all in the power of one Member of Congress to avert the calamity of war, I gave my whole-hearted support to the successful prosecution of the war. I have unhesitatingly voted for every measure in the interest of our soldiers and sailors called to the colors.

SENATOR PETTIGREW'S PLAN TO CONSCRIPT WEALTH FOR WAR.

The following letter from former Senator Pettigrew, of South Dakota, lays down a rule which is a great improvement on the present plan both for financing and fighting future wars:

AUGUST 24, 1917.

Hon. ERNEST LUNDEEN,
Washington, D. C.

MY DEAR SIR: Last February, while I was at Washington and before war was declared on the part of the United States, I published an article in one of the single-tax papers advocating that in case we went to war with Germany we should hire the men to do the fighting and draft the money instead of drafting the men and hiring the money. This statement attracted considerable attention and the Socialist papers have been advocating this plan ever since.

The report of the Treasury Department for the fiscal year ending June 30, 1917, has been received and shows that 357,000 persons receive an income of $1,200,000,000—that is, they paid taxes upon that amount. Of course, that does not include those who did not make a report or swore their income through at less than it was; nor does it include artificial persons, and therefore the income of these 357,000 people was probably nearer $2,000,000,000 than $1,200,000,000. The ones who receive this amount of income only include incomes exceeding $3,000 per year. In other words, from all incomes are deducted $3,000, leaving a balance of $1,200,000,000 for 357,000 persons.

Now that the conscription bill has been passed and the Government has conscripted 1,000,000 men to do the fighting, I propose that Congress pass a law conscripting this $1,200,000,000 a year and pay it to the million men who are conscripted to lay down their lives in order that these people may continue, from year to year, to gather these incomes. This would give each soldier $100 per month and enable him to decently support his family, if he has one, or send it to his parents, who have paid the expense of rearing him and giving him an education.

If we are going to "make the world safe for democracy," wouldn't it be a good idea to commence in the United States, and, having drafted a million of our boys to do the fighting, let us draft $1,200,000,000 from our millionaires. It was the laborers of this country who produced all of this wealth. These 357,000 produced none of it. They exploited the laboring people out of it by cunning, by manipulation, with the assistance of the laws and the lawyers and the courts and the machinery of legislation and the Government.

Why not, then, during the war appropriate this excess profit and pay the men that do the fighting? Why should we violate the Constitution and issue bonds in order to get money to pay the men who sacrifice their lives? Congress is in session, and if the administration has any interest in making the world "safe for democracy" they could order their rubber stamps at the Capitol, the House and the Senate, to pass this law conscripting the wealth, and it would go through at once.

I have carefully read some of the legislation that Congress has enacted recently, and while I do not advise anyone to violate the provisions of the law, I advise everyone who has any interest in democratic institutions to urge the repeal of the law with regard to conscription and the law suppressing freedom of assembly, freedom of speech, and freedom of the press. In my opinion these laws and the law declaring war violate the Declaration of Independence, the Constitution of the

United States, and the Ten Commandments, and every one of those laws should be immediately repealed, if we have any interest in the maintenance of democratic institutions.

* * * * * * *

Yours, very truly,

R. F. PETTIGREW.

In my speech on the resolution declaring war I said:

Conscription, always distasteful to a free people, may soon stalk through the land, hand in hand with his brothers—war and death. If you conscript men for war, conscript wealth for war.

Out of our surplus we stand ready, as always, to share with the needy of other countries. But we must think first of our own soldiers and of our own people at home, who are unitedly and enthusiastically standing back of and supporting our fighting men. We can not do our best unless we are well and fully fed. Hysterical self-denial defeats its own ends.

RESOLUTION TO CARE FOR OUR FOOD SUPPLY.

On October 1, 1917, I introduced a resolution in Congress (H. J. Res. 158) directing the President to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and further directing the President, when necessary to the public welfare, to seize food supplies and apportion them among the people. This resolution was referred to the Committee on Agriculture. Hoover, for 20 years a resident of London, was sent here to farm the "Yanks." So well did he succeed that to-day Australia boasts 200,000,000 bushels surplus in wheat, while England suffers a plague of rats due to her numerous filled grain bins.

We were urged on every hand to "save, save, save" food. Truly, in time of war, and in peace also, we should guard against wastage of food. That is a self-evident duty. But avoidance of waste does not mean that we must unreasonably reduce our own consumption. The frequent and thoughtless accusation that Americans eat too much is as false as it is unjust. Americans, as a whole, work, and people who work, whether with brain, or with hand, or with both, require an ample supply of nourishing food to repair the waste and replace the energy expended in their labor. It is a safe general rule that the labor performed by any people is in direct ratio to the amount and quality of food consumed by them. The better and more varied the dietary, the greater the amount and the higher the quality of the labor performed.

At whatever cost of labor and resource we must see to it that our own people are well and fully fed. If we starve or stint ourselves we shall aid neither our soldiers nor the allies. On the contrary, we can help them best by supporting them as vigorously as only a well-nourished people can do. Listless anemia never won a victory.

COAL FOR HOMES FIRST.

In midsummer of 1917 I saw, what any thoughtful person could see, that coal was being shipped across the border of the United States into Canada at an alarming rate. Our own people and the people of the other Northwestern States were facing a heavy shortage of hard and soft coal. On August 21, 1917, I introduced a resolution in Congress, directing the President to seize and hold sufficient coal in the United States for home consumption. Had the provisions of this resolution been placed in effect, the hardship, suffering, and death caused by lack of fuel last winter would have been avoided. Such action was not taken by the President, and untold hardship and suffering was endured by millions of our citizens during one of the most rigorous winters this country has ever experienced. We must insist upon a permanent and fixed policy of "America first; foreigners second."

Such a fixed policy as this would prevent a repetition of last winter's unnecessary suffering and its resultant effect on the morale of our people.

EFFICIENCY AND ECONOMY LEGISLATION.

During the war we drifted far from the true course of efficiency and economy. In Minnesota to-day we have State insurance on public buildings. This law, of which I was author, saved the State hundreds of thousands of dollars.

I brought this law to Minnesota as a copy from the Wisconsin law.

I was also author of the bill to give the city of Minneapolis a purchasing department. This has resulted in a great saving of money for the city.

When I first entered the legislature I voted alone against the legislative graft, at the beginning of the session, of the so-called supplies resolution. Two years later a great saving was effected there.

I am opposed to garden-seed Congressmen; I do not see why Members of Congress should have the handling of seeds which certainly ought to be handled by the Department of Agriculture. During the war emergency of necessity the seeds must be sent out, since many thousands of home gardens were cultivated. Now that Congress is returning to peace conditions, a change ought to be effected in this respect.

TEMPERANCE LEGISLATION.

While a member of the Minnesota Legislature I voted in favor of submitting State-wide prohibition to a vote of the people. On county option I voted "no." This bill provided that when the county voted dry it remained dry; with this I had no quarrel, but when a majority voted wet the county did not remain wet. The question might then again be submitted to the voters through local option, a double-barreled proposition, unfair and absolutely contrary to the principle of majority rule. If they want a dry country, let them vote it dry themselves; if they want a wet country, they are entitled to that. Let the people decide. As a Member of Congress I voted to refer national prohibition to a referendum of the State legislatures. This amendment is now a part of the Nation's Constitution.

The national bone-dry law, forcing prohibition upon the people by a vote of Congress without submitting the question to a popular vote, was passed while I was in Europe studying war conditions. I am opposed to this sort of legislation in temperance matters, and had I been in my seat I would have voted "no." The people should have something to say on this question.

OUR MINNEAPOLIS REFERENDUM ON WAR AND CONSCRIPTION THE FIRST.

My first act after I became a Member of the Sixty-fifth Congress was to prepare and submit to the citizens of my district in the city of Minneapolis letters providing them an opportunity for a referendum vote on war and conscription. This was the first referendum on war and conscription ever held in a congressional district.

On February 28 I introduced a bill to provide by law that hereafter the people of the United States shall always have the right to vote on war.

I now submit for the permanent RECORD of Congress the method and letters sent out:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., March 30, 1917.

DEAR FRIEND: With State and National problems of unusual importance pressing for solution, these are times when the people should be consulted. That a Member of Congress shall be representative in fact of their sentiments is an ever-increasing demand of the people.

You have given me your power of attorney and I believe that it is the highest form of representative government to use it in accordance with your wishes and as your conscience directs.

Elected to Congress by the people of Minneapolis, I am here to serve them. At all times I aim to be your representative here in the council of the Nation.

I do not hold lightly the confidence of almost 20,000 friends who gave me victory at the polls last November in the face of the most strenuous opposition. I am grateful to my friends for their loyal support.

From time to time I hope to acquaint you with my record. I shall indeed be greatly pleased if I can win the approval of the average citizen of the great and growing city of Minneapolis. Remember, I shall always value highly your opinion on public questions.

Assuring you of my desire to serve you and your friends faithfully, I am, with best wishes,

Sincerely, yours,

ERNEST LUNDEEN.

I believe that the people should be consulted before Congress declares war.

	Yes.	No.
Shall the United States declare war on Germany?		
Do you favor universal military service for our national defense?		

Full name.....

Address.....

Clip this vote NOW and mail to: ERNEST LUNDEEN,
House of Representatives,
Washington, D. C.

Your name will be held strictly confidential.

HOUSE OF REPRESENTATIVES,
Washington, D. C., August 25, 1917.

DEAR FRIEND: I believe the people should have the right to decide whether or not they are to die on foreign battle fields. Conscription should be settled at the ballot box. Those who do the fighting and foot the bills should have a voice in all matters of such vital concern. In that belief, I submitted a war ballot to the voters on March 30, 1917. This was the first congressional referendum on war in the history of our country.

Thousands of these ballots were delayed in the mails until after the vote in Congress on the war resolution, April 6. The press published an interview with the superintendent of mails at Minneapolis, tending to discourage the voting. Our time was shortened by two weeks when the President suddenly advanced the special session from

April 16 to April 2. These were some of the difficulties with which we had to contend. The following is the result:

For war	2,023
For conscription	3,198
Against war	16,822
Against conscription	15,381

Elections held in a number of cities and villages throughout the United States gave an overwhelming majority against entering the world war.

The press, eager for war, published grossly false statements about Members of the House and Senate who voted against the war resolution. Most of these statements are so manifestly malicious as to refute themselves and are unworthy of serious notice. However, I can not at this time refrain from denouncing as utterly untrue the published story that I was "too busy" to attend the joint session of the two Houses when the President addressed the Congress, and had "no time" to read the war message. Not only did I hear, read, and study the President's message, but I was the first Congressman to analyze it in a speech before the House of Representatives.

While newspapers were stating that I had been assigned to "dead" committees, the Republican Publicity Association, of which ex-Senator Jonathan Bourne is president, had the following to say: "Representative ERNEST LUNDEEN of Minnesota, although not yet 40 years old, has been placed on two of the prominent committees of the House—Territories and Irrigation—an honor seldom extended to a man just entering on his first term in the House."

It was reported that I had been expelled from Patterson Post, Veterans of Foreign Wars. It is, however, a matter of record that I am still a member. Twisted and distorted statements are the order of the day, but falsehood and ridicule can not endure.

One other misstatement I will correct. An impression has been created that a Congressman's speeches are printed at the expense of the Government. Such is not the case. Each Member pays for his own speeches on the basis of actual cost; circular letters are purchased at the prevailing commercial prices.

My constant aim as your Congressman is to be truly representative of the sentiments of the fifth district and of the best interests of the American people. I would rather stand by the people than stand by the President.

Sincerely, yours, ERNEST LUNDEEN.

BILL FOR REFERENDUM ON WAR.

An advisory referendum of the people on war was provided for in H. R. 16202, which I introduced in the House of Representatives February 28, 1919:

A bill (H. R. 16202) to provide for an advisory referendum vote of the people of the United States on all declarations of war by the Government of the United States.

Be it enacted, etc., That whenever there arises a question as to a declaration of war or the making of war by the United States against any foreign nation, the question shall first be submitted to an advisory referendum vote of the voters of all the States of the Union.

SEC. 2. That whenever the said question of declaring or making war by the United States shall arise, the Congress shall by resolution notify the Secretary of State that he is hereby empowered and directed to call a special election of all the qualified electors in each State for registering their approval or disapproval of the said proposed declaration of war or making of war.

SEC. 3. That the Secretary of State is hereby authorized and directed to print and furnish to the people of each State, through the State governments, the necessary copies (one for each citizen) of the proposed declaration of war and the ballots and election papers for said election; all costs of said election shall be paid by the Government of the United States.

SEC. 4. That the regular election officers of each State shall have charge of the polling of the votes and the conduct of the election in accordance with the forms and laws of each of the several States.

SEC. 5. That a joint committee of 30 Members (15 Members of the House and 15 Members of the Senate), of which committee the Vice President of the United States shall be ex officio chairman, shall act as a final board of canvassers to determine and announce the result of the said advisory referendum election.

SEC. 6. That the governor of each State shall transmit to the Vice President, acting as chairman of the aforesaid joint committee of Congress, at Washington, D. C., the official returns of the election in his State within 30 days after the date of holding said election; and not less than 30 days later the aforesaid joint committee of Congress shall announce the result of the election for the entire United States.

WOMAN SUFFRAGE.

Full woman suffrage is but an act of delayed justice. How men have so long refused their sisters the vote is one of the surprises of modern history.

To-day many of the world's greatest nations are leading the United States in democracy, in that they grant women the full vote. Very soon Members of Congress, members of the legislature as well as the voters themselves who now vote against woman suffrage will run to cover with profuse apologies.

I am for it, heart and soul, come what may! Women and men, men and women, henceforth together must rule America.

I am glad I lived to see the day when my vote held the balance of power in the House of Representatives on this question and that I cast it in favor of woman suffrage.

Equal suffrage came before the House of Representatives January 10, 1918, and received exactly the two-thirds majority necessary for a proposed constitutional amendment. I voted in the affirmative. Had I voted "no" the proposed amendment would have failed.

While a member of the Minnesota Legislature I voted for woman suffrage. I stood strongly for the cause in the days when it was extremely unpopular to do so. In the first suffrage parade held in Minneapolis I was the only State official in the marching column, and I am now doing all in my power to aid the amendment in the Senate.

We can no longer afford to have it said that we, as a Nation, do not believe in equal suffrage. Democracy rests upon the solid foundation of full suffrage for men and women. The victory will soon be complete. Nothing can stop this great measure.

THE LADY FROM MONTANA.

Now and then life reveals rare characters which all must admire. In the Sixty-fifth Congress no Member showed greater courage and self-sacrifice, no one was readier to die a political death for principle, than the brilliant and accomplished lady from Montana. If the voters of her State do not return her to the House or Senate at some later date I feel sorry for them. The loss of her services is not only a loss to Montana but to the whole people.

Whatever prejudices there may have been when she first entered the House of Representatives, Miss RANKIN has the good will of every Member of the House when she leaves.

Equal suffrage is stronger to-day because of her; her imprint is clear on much important legislation. In her the elements so mix that we can truly say she is a noble woman.

EXPERIENCES ON THE WAR FRONT.

On the morning of July 12, 1918, I left Washington to study war conditions in Europe, and sailed from New York July 14 on the *Adriatic*, a 25,000-ton troopship carrying American soldiers. Our convoy consisted of a large number of transports guarded by many destroyers, balloons, aeroplanes, and subchasers.

Several vessels were sunk in our path near us, notably the 32,234-ton *Justicia*, compelling us to change our course. Zigzagging was constantly used during all of my ocean voyages. We arrived safely July 26 at Liverpool. Visited London and Southampton, England, and Havre, Rouen, and Paris, France.

CHATEAU-THIERRY.

At Chateau-Thierry, the turning point of the war, I saw our American boys advance to and cross the Vesle River. Finer troops and better spirit never appeared on the field of battle.

We dined with Gen. Pershing near Chaumont, France, and spent the afternoon there. Three days were spent, through the courtesy of the French, at Verdun, where we saw all of the forts and fields of that historic ground.

I visted Alsace-Lorraine, where our boys stand on German ground. There I had a flight in a Liberty-motor machine along the enemy lines, and I also had the pleasure of riding with our soldiers in a battle-scarred tank.

We visited Italy—Mount Grappa region, Piave River, and Montella; also the cities of Rome, Naples, Florence, Venice, Padua, the Italian headquarters, Verona, Milan, and Turin, not to mention Vesuvius and Pompeii. Returning to Paris, we spent one week on the American supply lines, extending from St. Nazaire and Nantes through Tours clear across the heart of France. Immense railway yards, docks, and storage facilities, salvage and camouflage plants, and great office buildings, costing billions upon billions, here astonish and cause wonder and pride on the part of all.

NEUTRAL SWITZERLAND.

Two weeks in neutral Switzerland convinced me that that brave people are really trying to be neutral and increased my admiration for that grand and beautiful country. Here the American Red Cross provide necessary supplies for American prisoners of war now in German prison camps.

After this I returned to Paris, London, and Folkestone, England, and spent further time in the British area, including Boulogne, Abbeville, Amiens, and Beauvais—newspaper statements to the contrary notwithstanding. Everywhere we were treated with courtesy and given every assistance by the American, French, English, Italian, and Swiss Governments.

I might add that I had a flight at the height of 1 mile above Paris in a British Sopwith machine. I shall never forget the magnificent view of that wonderful and historic city. While in Paris we were shelled for five days by the big long-range cannon, throwing giant shells 76 miles. We were also in Paris when the last great air raid brought death and destruction to that city.

I saw great docks and other immense American undertakings at Brest, and sailed from this port on an American transport on the 22d of October, arriving at Newport News on November 1 and Washington on November 2. In all we spent 28 days on the ocean and the English Channel and the balance of the time in England and on the Continent.

Our American boys are worthy of their fathers. They fight like tigers and die with a smile. Let us remember them always with—

Cheers for the living and tears for the dead.

VICIOUS SLANDER BY ASSOCIATED PRESS.

During my travel in Europe along the battle lines and while visiting American troops everywhere in Europe, the Associated Press dispatches gave out the false and malicious statement that Congressman DILLON and myself had been barred from the battle fronts, that we were being trailed by detectives, and giving the people at home generally to understand that we were either locked up or on the verge of being jailed. A more vicious and untrue statement was never given to the press. We visited wherever we desired to visit and we were everywhere treated with utmost courtesy. As Members of Congress we had the perfect right to go wherever American troops were located and wherever the American flags were flying, and we did so.

BRITISH RATIONS FOR OUR SOLDIERS ON TRANSPORTS.

In crossing the ocean on the *Adriatic*, a large convoy ship, we found some 3,000 San Francisco and California lads on our vessel, and from time to time we investigated their condition with a view toward securing for them the greatest degree of comfort. Imagine our indignation when we found them fed on British rations, though America was paying the British companies well for the transportation of these troops to Europe. We found that they were fed on rotten rabbit meat; that some of it was taken to the ship surgeon's office with the dung in it; and many other revolting instances came to our notice.

OUR SOLDIERS DENIED AMERICAN FOOD.

We were loud in our condemnations of such conduct on the part of people whom we were associated with in this great war. We demanded to see the quarters of the boys, and were taken through the ship's hold and through its cold-storage facilities. There we found thousands of boxes of oranges and California fruit, thousands of boxes of canned salmon, and other west-coast products, which perhaps these very lads had gathered and worked upon.

This food was being taken to foreigners, but none of it was given to the American soldiers on board, who were going to lay down their lives on the battle fields of France.

NO AMERICAN FLAGS.

In this entire convoy not one ship carried the American flag; and the only American flag seen on board our ship was the small American flag which I pinned on my own cabin wall.

No American Congressman could witness such revolting conditions without protesting in no uncertain language to the authorities on board. He would have been derelict in his duty, no matter what the consequences might be to him personally.

SOLDIERS WILL CALL OFFICIALS TO ACCOUNT.

When the boys come back home—and they will return sooner or later—we will hear their story, and it will be told with emphasis; and I predict here and now that the officials who were responsible for the miserable way in which American troops were transported like cattle across the Atlantic will be called to account by our soldier boys.

ORDNANCE SCHOOLS.

I am informed by returned soldiers that the Ordnance Department sent out circulars advertising six-weeks courses of training in "ordnance paper work" to be given in eight or ten universities. It was stated that men so trained "would do the work of noncommissioned officers," and only men with college training or exceptional business experience should apply. Application was made through the officers in charge of the "courses" at the various universities, with certified lists of credits and certificates of honorable dismissal from the colleges, graduates of which were biting at the bait. Tuition was paid at whatever rate the university chose to charge. Up until March, 1918, the men remained in civilian clothes until the completion of the "course," when they were herded to various camps or arsenals and subjected to another "course" almost an exact duplicate of the ones at the universities in general worthlessness.

After March 1, however, the men went through the process of "induction" and equipment, and were "furloughed" for the period of the course, and received 30 cents a day for living!

The personnel obtained by this fraudulent propaganda comprised many young men earning $5,000 a year and more as accountants, executives, and so forth, as well as struggling seniors in college, who borrowed money to meet the expenses of the course. All were filled with a desire to serve and felt that in the "ordnance supply work" they could utilize their experience to the best interest of the Government and secure moderate promotion for good service.

The result is best shown by a typical case:

A young man 24 years of age, a senior at a State university, secured entrance to a course at the University of Chicago after excessive red tape; was inducted into the service and borrowed $150 at 6 per cent to finance himself for the six weeks. From Chicago he was sent to Camp Hancock, where were concentrated all the supply courses in all the universities, conniving with the War Department. There were 5,000 of the finest men in the United States. The treatment accorded them for six or eight weeks here passes belief. They were made to do kitchen duty, dig ditches, pull grass laden with poison ivy, so that fully 50 per cent had the poison, haul garbage, and drill three hours per day in the broiling sun under the auspices of a loud-mouthed ex-newsboy who had bawled himself to the rank of captain.

When there was nothing else to do they went to school, the "classrooms" being empty tents for a week, the empty mess halls when the tents were needed.

From the mess halls they were graduated to stables, and the desks and chairs combined were dung heaps. The instructing was done by conscientious men who had swallowed the bait on a previous course and were made to do instructing which they hated. When "school was not in session" they did fatigue and kitchen duty along with the rest. The various companies were in charge of newly elected shave-tails and acting top sergeants.

UNJUST AND TYRANNICAL PUNISHMENTS.

The discipline put West Point into the pale. For a week no passes were given because a green recruit failed to salute a major, the lord high executioner of the school, as he flew by in an auto on the streets of Augusta, so that the 5,000 men were held absolutely in camp, and even in that particular portion of the camp devoted to the supply school.

Upon the completion of the "training," absolutely worthless, the men were split up, all remaining the lowest buck privates in the gamut, some being sent to ordnance depots in this country. The majority, however, were made into a provisional ordnance detachment and sent across. The particular outfit best known by the writer went on a rat-infested boat, one of the worst transports, an Italian vessel, and landed at dear old Brest in the midst of the midsummer "flu" epidemic, where they lay in pup tents for 10 days or more. From there they were shipped to Mehun and handed shovels and similar equipment, which they wielded for several weeks. Then, alphabetically and absolutely irrespective of training, experience, or aptitude shown in the "supply course," they were divided, some going to S. O. S. headquarters at Tours and the rest all along the front to roll shells and do other manual labor in dumps. Various ones were lucky enough to get in with an officer who would recommend their promotion, but the vast majority are still rolling in the hip-deep mud of "Sunny France," cursing the Ordnance Department in general and "supply courses" in particular with a well-deserved fervor.

SOLDIERS' OUTLAY SHOULD BE REPAID.

Every man who went to a university and spent coin of the Republic in equipping himself, supposedly to serve his country better, should be reimbursed for the money outlay. He never could be recompensed for the hours of work, toil, and worry he spent, laboring under the fond delusion, so subtly spread in the ordnance circulars, that he was on the high road to advancement and worth-while service.

REPEAL OF CONSCRIPTION ACT.

Believing that the conscription act was unconstitutional, un-American, and repugnant to the wishes of the large majority of the American people, on August 28, 1918, I offered the following resolution for its repeal:

Joint resolution (H. J. Res. 145) to repeal an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," commonly known as the "conscription act."

Whereas Public act No. 12 (65th Cong., H. R. 3545), entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is also known as the "selective draft" or "selective conscription" act; and

Whereas conscription for foreign service is un-American and undemocratic; and

Whereas it is officially announced that American citizens conscripted under said act are to be transported to foreign countries to fight on foreign soil against the true meaning and intent of the provisions of the Constitution under which Congress raises armies; and

Whereas the Constitution provides, Article I, section 8, that the militia can be used only "to execute the laws of the Union, suppress insurrections, and repel invasions": Therefore be it

Resolved, etc., That an act (Public No. 12, 65th Cong., H. R. 3545) approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," be, and the same is hereby, repealed.

LUNDEEN COAL RESOLUTION.

In the belief that the dangerous fuel situation had to be speedily met, I introduced the following resolution:

Joint resolution (H. J. Res. 143) directing the President to seize sufficient coal supplies for home consumption.

Whereas a serious shortage of coal supplies exists in the State of Minnesota and the Northwest; and

Whereas intense suffering and general paralysis of business in the Northwestern States during the winter months is inevitable unless a sufficient supply of coal is procured; and

Whereas a large proportion of coal for northwestern consumption must come via the Great Lakes and be unloaded on the docks at the head of the Lakes before the close of navigation; and
Whereas the Minnesota State Railroad and Warehouse Commission reports that soft-coal shortage at the docks at the head of the Lakes was 4,198,109 tons and hard-coal shortage 16,514 tons on July 16, 1917; and
Whereas the executive committee of the American Railway Association—that is, the special committee on railroad transportation cooperating with the advisory commission of the Council of National Defense—reports that 750,322 cars of coal were loaded during June, 1917, as compared with only 594,531 during June, 1916; and
Whereas a great supply of coal is thus shown to be moving and sufficient coal is produced in the United States to supply all home demands and still have a handsome surplus; and
Whereas the Congress has given the President ample power to protect the consumer of coal in Public No. 41, Sixty-fifth Congress (H. R. 4961); and
Whereas the people of Minnesota and the Northwest are not so much concerned with the coal supplies of foreign nations as they are about their own supply: Therefore be it

Resolved, etc., That the President is hereby directed to seize sufficient supplies of coal and hold the same within the continental and insular area of the United States for home consumption.

SEC. 2. That the President is hereby directed to give the necessary orders to ship coal immediately into such of our States in which there is now a lack of supply, thus to avoid dire distress.

LUNDEEN FOOD RESOLUTION.

In the belief that the food situation was rapidly becoming dangerous to the average man and the laborer, who has but his wage to ward off the wolves, I introduced a food resolution for the consideration of Congress:

Joint resolution (H. J. Res. 158) directing the President to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and further directing the President, when necessary to the public welfare, to seize food supplies and apportion them among the people.

Whereas during the period of June 30, 1914, to June 30, 1917, the United States shipped food supplies valued at $3,212,321,312 to foreign ports, as against $1,352,146,068 during the corresponding period immediately preceding the world war; and
Whereas such depletion of our food stocks in favor of foreign nations has brought great hardship and intense suffering to the American people and resulted in numerous food riots in many American cities and industrial centers during the winter of 1916 and 1917; and
Whereas foreign commissions are continually calling upon us for more money and more food, and seek daily to shift their burdens upon America; and
Whereas the people of the United States are demanding that they be supplied first, and that foreign nations be given only out of our surplus, and insist now that it is high time that we adopt a permanent and fixed policy of America first, foreigners second; and
Whereas we produce far more food than is necessary for our own people, and the American people are willing to sell their entire surplus to nations now engaged in war upon our common enemy, and to such other nations as the President may direct; and
Whereas the entente allies, composing more than one-half of the earth, an overwhelming preponderance in men, money, and resources, are receiving wheat and many other food products at a less cost in Europe than in our own land where these products are produced; and
Whereas the history of human nature, selfishness, and greed would indicate that these nations will not call upon their final resources or drain their credit while we pour forth the treasures of America to the injury of the Republic; and
Whereas it is almost impossible for the laboring man and the average family to exist on the wage earned because of the high cost of living, and it is a fact that an underfed and undernourished people can not fight its best battle against a powerful foe and continue its struggle for complete economic independence; and
Whereas the Congress has given the President ample power to protect the people in the food-control law (Public act No. 41, 65th Cong., H. R. 4961): Therefore be it

Resolved, That the President be, and hereby is, directed to place an embargo upon such food supplies as are found necessary for home consumption and for the supply of our soldiers at home and abroad, and, when necessary to the public welfare, to seize food supplies and apportion them among the people.

EMPLOYMENT FOR DEMOBILIZED SOLDIERS AND WAR WORKERS.

Immediately after the signing of the armistice on November 11, 1918, I prepared the following House resolution No. 452, to instruct the great standing committees of Congress to survey the situation and to prepare legislation that would provide opportunities for employment for the millions of soldiers and war workers as fast as they were demobilized:

House resolution 452.

Whereas the rapid demobilization of 4,000,000 soldiers and 10,000,000 or more war workers in the United States during the next few months is liable to create a great body of unemployed; and
Whereas these conditions are brought about as a direct result of the exercise of the war-making power by Congress: Therefore be it

Resolved, That it is the plain and imperative duty of Congress to at once initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness during the coming months.

Resolved further, That as a first step to remedy the danger of widespread unemployment of millions of our people during the winter and following months, this House hereby authorizes and directs the Committees on Labor, Interstate Commerce, Public Buildings and Grounds, Rivers and Harbors, Naval Affairs, Military Affairs, District of Columbia, and Post Offices and Post Roads to each make an investigation as to the possibilities of work for the unemployed in those branches of industry, either in public or private employment, coming within the purview of each of the above committees of this House.

Said committees shall have power to subpœna witnesses and administer oaths, to send for persons and papers, and employ such assistants as may be necessary to carry out the purpose of this resolution, and to report to this House on or before February 10, 1919.

INDORSED BY REPUBLICAN NATIONAL COMMITTEE.

UNEMPLOYMENT DANGER FORESEEN BY REPRESENTATIVE LUNDEEN—NO ACTION TAKEN BY DEMOCRATS ON RESOLUTION TO PROVIDE WORK.

WASHINGTON, D. C.

One of the most pressing problems of the hour is that of employment, not only of the men who are being mustered out of service but also of the thousands who are being released from war work in factories, offices, and other institutions. Congressman LUNDEEN, Republican, from the Minneapolis district of Minnesota, is one of the men who early foresaw the menace of unemployment growing out of the sudden return of peace, and, in order that the matter might be properly and intelligently handled, he introduced a resolution directing Congress to take immediate steps to open up opportunities for employment to all workers in the United States in order that the danger of widespread idleness might not become a menace to the prosperity of the country and the stability of its institutions. His resolution provided for immediate investigation as to the possibilities of work in all branches of public industry, and directed the proper committees in the House of Representatives to make a survey of the various public industries, such as the construction and maintenance of highways, harbors, public buildings, and other like work.

Along with all other reconstruction measures, which have been proposed by Republican Congressmen, LUNDEEN'S resolution was referred to committee and since has not been heard of. The Democratic majority is perfectly satisfied to mark time and "wait for something to turn up."

Now that the danger of general unemployment is upon the country, due to lack of preparedness for peace by the Democratic administration, the Democrats are appealing to private interests and State and local governments to help them out of the difficulties into which their own indifference and incompetence have plunged the Nation.

BILL FOR BUREAU OF THE UNEMPLOYED.

The most troublesome question in all the civilized countries of the world to-day is the problem of the unemployed. As a help toward the solution of this question in the United States, on January 2, 1919, I introduced the following bill (H. R. 13592) to amend the Department of Labor law by providing for a really efficient bureau for the unemployed:

A bill (H. R. 13592) to amend an act entitled "An act to create a Department of Labor" by providing for a bureau of the unemployed.

Be it enacted, etc., That an act entitled "An act to create a Department of Labor," approved March 4, 1913, be, and the same is hereby, amended by adding the following section:

"SEC. 12. That there shall be in the Department of Labor a bureau to be called the bureau of the unemployed, and a commissioner of the unemployed who shall be the head of the said bureau, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of $6,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of $4,000 per annum, and who shall, in the absence of the commissioner, act as and perform the duties of the commissioner of the unemployed, and who shall also perform such other duties as may be assigned to him by the Secretary of Labor or by the said commissioner.

"The said commissioner shall have power and authority under the direction of the Secretary of Labor—

"(a) To take a census, at as frequent intervals as possible, of the unemployed in the United States.

"(b) To make and keep a classified enrollment of the unemployed by vocations.

"(c) To correct and keep full records of the industrial and commercial conditions throughout the United States, especially in relation to opportunities for the employment of labor.

"(d) To furnish the fullest possible information to the unemployed of opportunities for employment in any part of the United States and to devise plans for facilitating the movement of the unemployed to places where opportunity for employment exists.

"(e) To make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same."

RESOLUTION FOR IRISH FREEDOM.

Believing that the great principle of self-determination of peoples should be applied with broad and just impartiality to all countries, on December 2, 1918, about the time the peace conference was assembling in Paris, I introduced the following House joint resolution 354, instructing the United States delegates to the peace conference to demand freedom and self-determination for Ireland.

On the last day of the session of Congress the House, by a large majority, passed a resolution, thus requesting President Wilson and the American delegates to the peace conference to support the proposal for the recognition for the rights of Ireland:

Joint resolution (H. J. Res. 354) instructing the delegates to the peace conference to demand freedom for Ireland.

Whereas the President has declared in favor of freedom and self-determination for all peoples; and
Whereas the President has further declared that we went to war to make the world safe for democracy: Therefore be it

Resolved, etc., That the delegates of the United States of America to the world peace conference be, and they hereby are, instructed to demand that the conference provide self-determination and freedom for Ireland.

RESOLUTION TO RETURN OUR SOLDIERS FROM RUSSIA.

Every American soldier must at once be returned from Russia to the United States. The President can not make war without a declaration of war by Congress.

House concurrent resolution 64.

Whereas thousands of American soldiers are now fighting in Russia; and
Whereas these Americans engaged in war upon the Russian Republic were conscripted to make war on the Empires of Germany and Austria; and

Whereas the President has declared in favor of self-determination for all nations and we are now permitting enemy nations to adjust their own internal affairs; and

Whereas the President on January 8, 1918, in his peace terms which laid down his 14 points declared in point 6 as follows:

"The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy"; and

Whereas the State Department has made public no information as to the causes of war against Russia or the status thereof; and

Whereas the President has stated officially that America went to war to save democracy; and

Whereas the Congress of the United States has made no declaration of war against Russia: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the President be, and hereby is, instructed to withdraw at once all American troops now on Russian soil.

PRESIDENT INVADING RUSSIA WITHOUT AUTHORITY.

The press for March 11, 1919, states that our men are again in bloody struggle with Russia. The Government some time ago promised to return these men. Now we learn that they are still fighting for their lives. This double-crossing by the double-crossers who are now trying to function as officials is, to put it mildly, a dastardly outrage.

RESOLUTION TO END FOREIGN PROPAGANDA.

Believing that propaganda conducted in the United States by and in the interests of foreign Governments is derogatory to the welfare and best interests of the United States, I introduced the following House resolution 615 as a proper step toward the elimination of this reprehensible propaganda which has been conducted by both sets of European belligerents in the period immediately preceding the entrance of the United States into the war:

House resolution 615.

Whereas there are widespread charges that foreign propaganda has been and is being conducted in the United States for the purpose of influencing the people and Government of the United States; that this foreign influence is tainting the public press, ended our neutrality, hastened our entrance into the world war, and is now affecting problems growing out of the world war; that immense sums of money have been and are being expended to carry out said propaganda; that this propaganda is being conducted in a manner hostile to the best interests of our country and in the interest of foreign countries and munition profiteers, both foreign and domestic: Therefore be it

Resolved, That a committee, composed of nine Members of this House who have been reelected to the Sixty-sixth Congress, shall be appointed by the Speaker to inquire into the facts and report to the House in the Sixty-sixth Congress within 60 days of the date of its assembling.

Resolved further, That said committee is hereby empowered to subpœna witnesses, administer oaths, and take testimony, to send for persons and papers, and to employ such assistance as may be necessary to carry out the purposes of this resolution.

RESOLUTION FOR REPEAL OF THE ESPIONAGE-CENSORSHIP LAW.

I voted against the espionage-censorship bill and did so in accordance with my oath to support the Constitution, which provides in Article I of the amendments:

Congress shall make no law * * * abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

I therefore introduced the following bill (H. R. 16199) to repeal the obnoxious espionage-censorship law, which is probably as offensive to the liberty-loving sensibilities of the American people as any act ever passed by Congress:

A bill (H. R. 16199) to repeal the espionage and censorship law.

Be it enacted, etc., That the act of June 15, 1917, and amendments thereto, known as the espionage and censorship law (Public act No. 24), be, and the same is hereby, repealed.

BILL FOR ELIMINATION OF PRIVATE PROFIT IN WAR MUNITIONS.

From a study of the conditions preceding the world war, I am convinced that that unparalleled disaster was largely inflicted on mankind through the machinations of the private individual and corporate owners of munitions plants whose aim was to make money profit out of war. To help prevent and eliminate such malign influence from our affairs in the future, I introduced a bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war:

A bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war.

Be it enacted, etc., That from and after one year from the date of the passage of this act it shall be unlawful for private individuals or corporations to manufacture or sell any weapons or munitions of war, or build or equip any vessels of war, except in an emergency for the United States and under a license granted by the Government of the United States: *Provided*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed when making settlement of contracts with private individuals and corporations for unfinished war materials in accordance with the act of February 28, 1919, to salvage wherever possible from such contracts such unfinished materials, buildings, machinery, or plants as may be useful to the Government now or in the future for the manufacture of weapons and war materials in its own plants, to the end that wherever possible private profit shall be eliminated from the business of war.

BILL TO AMELIORATE EXCESSIVE COURTS-MARTIAL PENALTIES.

I heartily favored the Claypool bill to provide some amelioration of the cruel hardship and gross injustice of the courts-martial penalties which were inflicted on large numbers of our soldiers by officers often wholly unfit to exercise any judicial function. The excessive fines of these petty offenders, often confiscatory of the soldiers' small pay for many months, should now be returned to them.

FOR REDUCTION OF MOVING-PICTURE THEATER TAX.

About two days before the close of the final session of the Sixty-fifth Congress the majority in the Ways and Means Committee and in the House passed a joint resolution amending the revenue law of 1918—which had only been signed by the President three or four days before—striking out section 904 of the revenue act, which was commonly known as the "luxury tax," the one section of the bill which was to be levied directly on the luxuries of the rich. I immediately, on March 3, 1919, introduced the following House joint resolution 422 to repeal section 906 of the revenue act, which would have reduced the tax on films and moving pictures, thus relieving the poor man's principal place of amusement for himself, his wife, and children of one of the heaviest taxes of the revenue bill. I believed this was but fair as an accompaniment to the repeal of the rich man's luxury tax:

House joint resolution (H. J. Res. 442) to repeal section 906 of the revenue act of 1918, approved February 24, 1919.

Resolved, etc., That section 906 of the revenue act of 1918 is hereby repealed.

BILL CREATING UNITED STATES DEPARTMENT OF AIR SERVICE.

The navigation of the air is the newest field just now fairly opened up to the enterprise of men and nations. In order that our people may take their proper place and share in the development of this new science, I introduced the following bill (H. R. 16195) to create an executive department of the United States Government to be known as the department of air service. Other nations are making rapid strides in this field, and in the rivalry of securing the benefits, commercial and otherwise, from this new form of navigation I believe such a department will be a great benefit to the Government and the people of the United States:

A bill (H. R. 16195) to create a department of air service.

Be it enacted, etc., That there is hereby created an executive department in the Government to be called the department of air service and a secretary of air service, who shall be the head thereof and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of $12,000 per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The purpose of the department of air service shall be to promote, develop, and regulate the navigation of the air for the benefit of the people and the Government of the United States. The said secretary shall cause a seal of office to be made for the said department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

SEC. 2. That there shall be in said department an assistant secretary of air service, to be appointed by the President, who shall receive a salary of $7,500 a year. He shall perform such duties as shall be prescribed by the secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inventors, inspectors, experts, scientists, and special agents as may from time to time be provided for by Congress. The auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the secretary of air service and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the department of air service, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the secretary of air service.

SEC. 3. That the following-named officers, bureaus, divisions, and branches of the public service now and heretofore under the War Department and all that pertains to the same, known as the Chief of the Aircraft Production Bureau, and the Aircraft Production Bureau and the military air stations, the Chief of the Bureau of Aviation, and the Bureau of Aviation of the Navy Department and the naval air stations, be, and the same hereby are, transferred from the War Department and Navy Department to the Department of Air Service, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department.

SEC. 4. That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Air Service, together with the furniture and apparatus now in use in such bureau, office, department, or branch of the public service shall be, and hereby are, transferred to the Department of Air Service.

SEC. 5. That the Secretary of Air Service shall have charge in the buildings or premises occupied by or appropriated to the Department of Air Service, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter required for use in its business. He shall be allowed to expend for the purchase of buildings, materials, machinery, vehicles, vessels, and apparatus required for the operations of the air service in promoting, developing, and regulating the naviga-

[illegible] be set aside for periodicals and for the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Air Service within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however*, That where any office, bureau, or branch of the public service transferred to the Department of Air Service by this act is occupying rented buildings or premises it may still continue to do so until other suitable quarters are provided for its use: *And provided further*, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Air Service are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further*, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Air Service shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Air Service.

SEC. 6. That there shall be a solicitor of the Department of Justice for the department of air service, whose salary shall be $5,000 per annum.

SEC. 7. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the department of air service, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said department of air service.

SEC. 8. That the secretary of air service shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

SEC. 9. That the secretary of air service shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the secretary of air service with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to the air service and the navigation of the air, in order to harmonize and unify such activities, duties, and powers with a view to further legislation, to further define the duties and powers of such department of air service.

SEC. 10. That this act shall take effect from and after the date of its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

MAYOR VAN LEAR, OF MINNEAPOLIS, APPROVES.

CITY OF MINNEAPOLIS,
OFFICE OF THE MAYOR,
March 22, 1918.

Mr. ERNEST LUNDEEN, M. C.,
Washington, D. C.

DEAR FRIEND LUNDEEN: I received your wire of March 20 advising me that the working people can depend on you to help fight their battle in Congress. It is pleasing to know that one like yourself, who has always stood in the forefront of the battle in our State legislature to make better wages and better living conditions for the common people, is still keeping up the good work in Congress.

I felt sure that you would favor conscription of wealth to pay for the war, as I knew that your life work in behalf of the toilers would make you see this great crisis in the right light. I felt that we of organized labor could depend upon you when the test came and when the common people were to give freely of the lives of their sons, and that you would not put the dollars of the war profiteers above the lives of our children.

Your career in Congress has been watched by me with interest, and I am pleased to note that the Congressman from our district has been found always standing foursquare in the interest of the common people.

With kindest regards, I am,

Yours, very truly,

THOMAS VAN LEAR, *Mayor.*

REFERENDUM ON LEAGUE OF NATIONS.

Pursuant to the principle that the people themselves should, in a democratic Republic like ours, at all times exercise the largest possible measure of direct control over their Government, especially on all large and important measures, I introduced the following bill (H. R. 16219) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations:

A bill (H. R. 16219) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations.

Be it enacted, etc., That the constitution and covenants of the proposed league of nations when presented to the United States for adoption shall first be submitted to an advisory referendum vote of the voters of all the States of the Union.

SEC. 2. That within not less than 30 nor more than 90 days after the presentation of the constitution of the said league of nations to the United States the Secretary of State is hereby empowered and directed to call a special election of all the qualified electors in each State for registering their approval or disapproval of the said league of nations.

SEC. 3. That the Secretary of State is hereby authorized and directed to print and furnish to the people of each State through the State governments the necessary copies (one for each citizen) of the proposed constitution of the league of nations and the ballots and election papers for said election. All costs of the aforesaid referendum election shall be paid by the Government of the United States.

SEC. 4. That the regular election officers of each State shall have charge of the polling of the votes and the conduct of the election in accordance with the forms and laws of each of the several States.

SEC. 5. That a joint committee of 30 members (15 Members of the House and 15 Members of the Senate), of which the Vice President of the United States shall be ex officio chairman, shall act as a final board of canvassers to determine and announce the result of the said referendum election.

SEC. 6. That the governor of each State shall transmit to the Vice President, acting as chairman of the aforesaid joint committee of Congress, at Washington, D. C., the official returns of the election in his State within 30 days after the date of holding said election; and not less than 30 days later the aforesaid joint committee of Congress shall announce the result of the election for the entire United States.

Gentlemen of the Congress, we stand in the midst of a world crisis. All is confusion worse confounded. We are entangled here, there, and everywhere. My last word to you, my fellow citizens, is this: Turn again reverently to the pages of America's glorious history. Read and read again the admonitions of the fathers of the Republic. You will find there words of wisdom and a sure compass with which to chart your course. And having read, stand upon the watchtowers of the Nation and solemnly guard America, our motherland.

Concurrent Resolution of the Legislature of North Dakota Favoring the Establishment of a League of Nations to Enforce Peace.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. YOUNG of North Dakota. Mr. Speaker, following is a copy of a concurrent resolution adopted by the Legislature of the State of North Dakota, certified to by Hon. Thomas Hall, secretary of state, favoring the establishment of a league of nations to enforce peace and to promote the liberty, progress, and orderly development of the world:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of March, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution favoring the establishment of a league of nations to enforce peace and aim at promoting the liberty, progress, and orderly development of the world.

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further

Resolved, That certified copies of this resolution be sent by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

America First.

EXTENSION OF REMARKS
OF
HON. ERNEST LUNDEEN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

The House had under consideration the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination.

Mr. LUNDEEN. Mr. Speaker, Irish independence has agitated world politics for more than seven centuries. Americans of Irish descent can not be blamed for their ardent desire to free the land of their fathers at a time when the world moves in favor of self-determination for all peoples. I do not believe that Mr. Wilson is in favor of freedom for all peoples; his statement to the Irish-American committee the other day shows plainly that he opposed Irish independence. At all times I have followed the advice of Washington in his Farewell Address—that of avoiding the wiles, intrigues, and entangling alliances of Europe. The Nation, under the leadership of Mr.

Wilson, has—temporarily, I hope—abandoned the policy of Washington, Adams, Jefferson, Jackson, Lincoln, and the long line of Presidents who followed Washington. Is this man wiser than all of these?

If we are to discuss self-determination for all peoples of the world, I take it that all the world includes Ireland.

On December 2, 1918, I introduced the following joint resolution (H. J. Res. 354), which was referred to the Committee on Foreign Affairs and ordered to be printed:

Joint resolution instructing the delegates to the peace conference to demand freedom for Ireland.

Whereas the President has declared in favor of freedom and self-determination for all peoples; and

Whereas the President has further declared that we went to war to make the world safe for democracy: Therefore be it

Resolved, etc., That the delegates of the United States of America to the world peace conference be, and they hereby are, instructed to demand that the conference provide self-determination and freedom for Ireland.

This was the first resolution introduced to instruct our peace delegates to fight for Irish freedom, and the House of Representatives passed a resolution so instructing the delegates to the world peace conference.

The Polish, the Czecho-Slav, the Jugo-Slav, the Austro-Italian, the Armenian, and whatnot questions are now no more to the front, nor do they outrank in any manner the great question of Irish independence.

The Irish question opens up our whole international policy.

In foreign affairs the Wilson administration has again and again made the interests of America secondary to those of foreign nations.

PRESIDENT WASHINGTON.

It is our true policy to steer clear of permanent alliances with any portion of the foreign world. (Washington's Farewell Address.)

I am for America first. The man who cares not for his own is worse than an infidel. Embarked on the stormy seas of time, we must keep our own ship afloat. We must prevent any member of the crew from scuttling the ship. We must preserve our own civilization. The polestar of safety is the foreign policy of Washington, Hamilton, and Jefferson.

PRESIDENT WASHINGTON.

Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? (Washington's Farewell Address.)

PRESIDENT JEFFERSON.

Peace and abstinence from European interferences are our objects. (From a letter from Thomas Jefferson to M. Du Pont de Nemours, April, 1802.)

The welfare of his country is the first consideration of a good citizen. From this point of view the citizen meets and solves the problems of the hour. Petty politicians and small statesmen may seek to better their interests at the expense of the Nation, but the citizen who has grasped the essentials of citizenship places his country's welfare above the interests of the individual. Not only must his interests be subordinate to the Nation's interests, but the interests of every other nation or combination of nations must be subordinate thereto. Thus only can a nation exist. For us there can be but one motto, one aim, and one purpose, and that is America first. No cloud must be allowed to obscure this principle; no alliance or allegiance must endanger it.

Editors with pens poisoned by interested foreign powers and dominated by proforeign officials have done their best to overthrow this principle enunciated by the great Washington. They have succeeded in blinding but a minority. The great mass of Americans to-day are in hearty accord with Washington's Farewell Address and his policy of avoiding foreign entanglements, his policy of America first. Many to-day, and among them men whom the people have placed in the highest offices, seem anxious to abandon the foreign policy outlined by our first President and carefully followed by our greatest statesmen. They would leave the path trodden by Washington and Hamilton, Jefferson and Jackson, Madison and Monroe, and that great American, Lincoln; they would go in new and strange paths; they term the fathers of the Republic back numbers; they ignore their writings as documents too musty to examine.

PRESIDENT WASHINGTON.

My policy has been, and will continue to be while I have the honor to remain in the administration, to maintain friendly terms with but to be independent of all the nations of the earth. (Letter from Washington to Gouverneur Morris, Dec. 22, 1795.)

I believe it is the sincere wish of united America to have nothing to do with the political intrigues or the squabbles of European nations. (Letter from Washington to the Earl of Buchan, dated Philadelphia, Apr. 22, 1793.)

PRESIDENT JEFFERSON.

Do what is right, leaving the people of Europe to act their follies and crimes among themselves, while we pursue in good faith the paths of peace and prosperity. (From a letter from Thomas Jefferson to President Monroe, June, 1823.)

Determined as we are to avoid if possible wasting the energies of our people in war and destruction, we shall avoid implicating ourselves with the powers of Europe, even in the support of principles which we mean to pursue. (From a letter from Thomas Jefferson to Thomas Paine, Mar. 18, 1801.)

PRESIDENT MONROE.

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers. (From President Monroe's message to Congress, delivered on Dec. 2, 1823.)

The United States is now facing disaster as a result of the complications arising out of the world war. What the people demand is a continued and steadfast adherence to the policy of the past 140 years. The election of 1918 proved that their policy was the policy of Washington, the policy of America first.

In that election Woodrow Wilson demanded support for his foreign policy and was emphatically repudiated. It is our leaders who are suffering from blindness—or illusions; they are still stumbling in darkness, led on by the mirage of vain theories which have swept them off their feet. Our leaders to-day need to be educated—in the teachings of the past. Their false leadership will not cause the Nation to perish, and when oblivion has obscured the false prophets the Republic will still survive.

PRESIDENT WASHINGTON.

I hope that the United States of America will be able to keep disengaged from the labyrinth of European politics. (Letter of Washington to Sir Edward Newenham, July 17, 1787.)

In these evil days America must be first in our thought, first in our hearts, and war must be avoided in every honorable way—its terrible consequences and sacrifices must not lightly be forced upon a great people. War should never be declared without a vote of the people upon the declaration.

PRESIDENT JEFFERSON.

We wish not to meddle with the internal affairs of any country, nor with the general affairs of Europe. (From a letter of Thomas Jefferson to C. W. F. Dumas, 1793.)

PRESIDENT JACKSON.

Our best wishes on all occasions, our good offices when required, will be afforded to promote the domestic tranquillity and foreign peace of all nations with whom we have any intercourse. Any intervention in their affairs further than this, even by the expression of an official opinion, is contrary to our principles of international policy, and will always be avoided. (From the fourth annual message of Andrew Jackson, Dec. 4, 1832.)

We should follow the wise counsel of Washington and in all our foreign relations adhere strictly to absolute and impartial neutrality. Private profit must be eliminated from war. Gold must not be coined out of patriotism. Our Government must own and control the munition plants. War will then be far less likely. My bill H. R. 16204 provides for Government ownership of munition plants.

PRESIDENT JEFFERSON.

America has a hemisphere to itself. It must have its separate system of interests, which must not be subordinated to those of Europe. (From letter of Thomas Jefferson to Baron von Humboldt, December, 1813.)

If you want to put an end to nine-tenths of all wars, let the people vote on war. Nearly all wars are brought on by the rulers of nations. Their eyes are fixed on the rainbow of military glory; they want a place in history; for them humanity and civilization sink into the background. The peoples of the earth will soon seize the right to vote on war. We shall then see the beginning of a new day.

PRESIDENT GRANT.

As the United States is the freest of all nations, so, too, its people sympathize with all people struggling for liberty and self-government, but while so sympathizing, it is due to our honor that we shall abstain from enforcing our views upon unwilling nations and from taking an interested part, without invitation, in the quarrels between different nations or between governments and their subjects. (From the first annual message of President U. S. Grant, delivered Dec. 6, 1869.)

Forget this "Make the world safe for democracy," and say to all men, "We are trying here in America to produce a democracy that will be an example to the world." There never was a greater piece of bunko foisted upon the American people than this that we went to war to make the world safe for democracy. The soldiers on the field laugh at it. If we went to war for anything it was to vindicate our rights upon the sea.

PRESIDENT JEFFERSON.

The less we have to do with the amities or enmities of Europe the better. (Letter from Thomas Jefferson to Thomas Leiper, 1815.)

The European nations constitute a separated division of the globe; their localities make them part of a distinct system; they have a set of interests of their own in which it is our business never to engage ourselves. (From letter of Thomas Jefferson to Baron von Humboldt, December, 1813.)

PRESIDENT JOHN QUINCY ADAMS.

Reasoning upon this state of things from the sound and judicious principles of Washington, must we not say that the period which he predicted was then not far off has arrived; that America has a set of

primary interests which have none, or a remote, relation to Europe; that the interference of Europe, therefore, in those concerned should be spontaneously withheld by her upon the same principles that we have never interfered with hers? (From President John Quincy Adams's message to Congress, Mar. 15, 1826.)

PRESIDENT JEFFERSON.

I know that it is a maxim with us, and I think it a wise one, not to entangle ourselves with the affairs of Europe. (Letter of Thomas Jefferson to E. Carrington in 1787.)

It ought to be the very first object of our pursuit to have nothing to do with European interests and politics. (Letter of Thomas Jefferson to Thomas Paine, Mar. 18, 1801.)

PRESIDENT WASHINGTON.

An energetic General Government must prevent the several States from involving themselves in the political disputes of the European powers. (From letter of Washington to Thomas Jefferson, dated Jan. 1, 1788.)

All through his administration Mr. Wilson has bulldozed the Sixty-fifth Congress in a most shameful and brutal manner. He steam-rollered his un-American foreign policies through the House and the Senate under the threat of war and the conduct of war. Congress abjectly surrendered, with only occasional and weak protests. My hope is that the Sixty-sixth Congress will show some nerve and backbone.

PRESIDENT MADISON.

To cherish peace and friendly intercourse with all nations having corresponding dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge in unworthy prejudices ourselves, and too elevated not to look down upon them in others * * * as far as sentiments and intentions such as these can aid the fulfillment of my duty they will be a resource which can not fail me. (From the first inaugural address of James Madison.)

PRESIDENT WASHINGTON.

Separated as we are by a world of water from other nations, if we are wise we shall surely avoid being drawn into the labyrinth of their politics and involved in their destructive wars. (From a letter by Washington to the Chevalier de la Lucerne, Feb. 7, 1788.)

The American Army in Europe, after two sad years of experience, has come to the conclusion that Washington was right.

"SO THIS IS GERMANY."

(Leading article in Saturday Evening Post, Feb. 22, 1919, by George Pattullo.)

In Europe racial prejudices are a stone wall to progress. Every war leaves bitterness and wounds which lead finally to another. It is a vicious circle, without any end in sight. From a purely American standpoint George Washington was right about "no entangling alliances." The officers in our Army are unanimous in declaring that the less we mix up in international affairs on this side of the water the better off we shall be. We have not the same purposes, we have not the same aspirations, we have not even the same ideals. Though of the same blood as the older races, we are yet a vastly different breed.

In a speech in the House of Representatives in 1848 Abraham Lincoln said:

Gen. Taylor in his Allison letter says: "Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors the will of the people, as expressed through their Representatives in Congress, ought to be respected and carried out by the Executive."

Now, this is the whole matter—in substance it is this: The people say to Gen. Taylor, "If you are elected shall we have a national bank?" He answers, "Your will, gentlemen; not mine." "What about the tariff?" "Say yourselves." "Shall our rivers and harbors be improved?" "Just as you please. If you desire a bank, an alteration of the tariff, internal improvements, any or all, I will not hinder you; if you do not desire them, I will not attempt to force them on you. Send up your Members of Congress from the various districts with opinions according to your own, and if they are for these measures, or any of them, I shall have nothing to oppose; if they are not for them, I shall not, by any appliances whatever, attempt to dragoon them into their adoption."

We see it, and to us it appears like principle, and the best sort of principle at that—the principle of allowing the people to do as they please with their own business. My friend from Indiana (Mr. C. B. Smith) has aptly asked, "Are you willing to trust the people?" Some of you answered, substantially, "We are willing to trust the people; but the President is as much the representative of the people as Congress." In a certain sense and to a certain extent he is the representative of the people. He is elected by them, as well as Congress is. But can he, in the nature of things, know the wants of the people as well as 300 other men coming fro all the various localities of the Nation? If so, where is the propriety of having a Congress? That the Constitution gives the President a negative on legislation all know; but that this negative should be so combined with platforms and other appliances as to enable him, and in fact almost compel him, to take the whole of legislation into his own hands is what we object to, is what Gen. Taylor objects to, and is what constitutes the broad distinction between you and us. To thus transfer legislation is clearly to take it from those who understand with minuteness the interest of the people and give it to one who does not and can not so well understand it.

PRESIDENT FILLMORE.

Hence it becomes an imperative duty not to interfere in the government or internal policy of other nations; and although we sympathize with the unfortunate or the oppressed everywhere in the struggles for freedom our principles forbid us from taking any part in such foreign contests. (From the first annual message of Millard Fillmore, delivered on Dec. 2, 1850.)

PRESIDENT MONROE.

Separated as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European Governments nor in the causes which produce them. (From the eighth annual message of James Monroe, delivered Dec. 7, 1824.)

PRESIDENT JOHN QUINCY ADAMS.

* * * It will be seen that the United States neither intend nor are expected to take part in any deliberations of a belligerent character; that the motive of their attendance is neither to contract alliances nor to engage in any undertaking or project importing hostility to any other nation. (From the message to the Senate by John Quincy Adams, delivered Dec. 26, 1825.)

PRESIDENT TYLER.

An interference of one in the affairs of another is the fruitful cause of family disputes, and the same affects the peace, happiness, and prosperity of the States. It may be most devoutly hoped that the good sense of the American people will ever be ready to repel all such attempts should they ever be made. (From the fourth annual message of John Tyler, delivered Dec. 3, 1844.)

Make America safe for democracy. America can never be made safe for democracy until our high-handed, autocratic billionaires are tamed by the power of the people.

Our giant corporate monopolies not only scheme to levy tribute on every American citizen, but they want to exploit and enslave the peoples of other nations, and then use the Army and Navy of the United States to enable them to collect the profits of their foreign commercial conquests.

PRESIDENT VAN BUREN.

A rigid and persevering abstinence from all interference with the domestic and political relations of other States, alike due the genius and character of our Government and to the principle by which it is directed, a faithful observance in the management of our foreign relations, the practice of speaking plainly, dealing justly, and requiring peace and justice in return, as the best conservatives of the peace of nations. (From the fourth annual message of Martin Van Buren, delivered Dec. 5, 1840.)

PRESIDENT LINCOLN.

In this unusual agitation we have forborne from taking part in any controversy between foreign states and between parties or factions in such states. We have attempted no propagandism and acknowledge no revolution. But we have left to every nation the exclusive conduct and management of its own affairs. (Second message of President Lincoln, Dec. 1, 1862.)

PRESIDENT JEFFERSON.

Peace, commerce, and honest friendship with all nations, entangling alliances with none, I deem (one of the) essential principles of our Government, and consequently (one) which ought to shape its administration. (From Thomas Jefferson's first inaugural address, Mar. 4, 1801.)

In a speech in North Dakota during the presidential campaign of 1912, I said:

Woodrow Wilson, though he has been governor of trust-ridden New Jersey, has signally failed to curb or even attempt to curb the trusts and monopolies in that State—the home and haven of about 90 per cent of all the monopolistic combines in this country.

During the six years that he has been President, Mr. Wilson, through the exercise of what Abraham Lincoln condemned in a speech in Congress in 1848 as "the appliances which enable him (the President) to take the whole of legislation into his own hands," has autocratically controlled the action of the Government in both the legislative and executive branches. With full power in his hands and those of his Attorney General to put an end to every robber trust in the country, he sat there for six years and allowed the robbery of the people by the trusts to continue without any hindrance from him. In the meantime he has by the misuse of usurped power and "appliances" diverted the activities of our Government into most questionable foreign entanglements—his two little wars in Mexico, without the authority of Congress, which the Constitution requires him to have before making war, the great war in Europe, the war of invasion against our sister Republic, Russia, again without the authority of Congress to act, and now his astounding temporary personal transfer of the executive branch of our Government to a foreign capital more than 3,000 miles across the sea, in order that he may personally participate in a secret diplomatic conference with foreign princes, potentates, and powers, one of the avowed objects of which is to bind as far as he can the people and Government of the United States to a new alliance with foreign nations far more entangling than those against which Washington and his successors for over a hundred years have so solemnly and earnestly warned us. Woodrow Wilson pursues an un-American policy, a foreign-minded and dangerous policy. If we would save the Republic we must halt him in his madness.

PRESIDENT JEFFERSON.

For us to attempt, by war, to reform all Europe, and bring them back to principles of morality and a respect for the equal rights of nations, would show us only to be maniacs. (Third annual message, Thomas Jefferson.)

WE SHOULD PROTEST.

(By Ella Wheeler Wilcox.)

To sit in silence when we should protest
Makes cowards out of men. The human race
Has climbed on protest. Had no voice been raised
Against injustice, ignorance, and lust,
The Inquisition yet should serve the law,
And guillotines decide our least disputes.
The few who dare must speak and speak again
To right the wrongs of many. Speech, thank God,
No vested power in this great day and land
Can gag or throttle. Press and voice may cry
Loud disapproval of existing ills;
May criticize oppression and condemn
The lawlessness of wealth-protecting laws,
That let the children and child bearers toil
To purchase ease for idle millionaires.
Therefore, I do protest against the boast
Of independence in this mighty land,
Call no chain strong which holds one rusted link.
Call no land free that holds one fettered slave.
Until the manacled slim wrists of babes
Are loosed to toss in childish sport and glee;
Until the mother bears no burden save
The precious one beneath her heart; until
God's soil is rescued from the clutch of greed,
And given back to labor, let no man
Call this the land of freedom.

PRESIDENT PIERCE.

The conditions of States is not unlike individuals. They are mutually dependent upon each other. Amicable relations between them and reciprocal good will are essential for the promotion of whatever is desirable in their moral, social, and political condition. Hence it has been my earnest endeavor to maintain peace and friendly intercourse with all nations. (From the second annual message of President Franklin Pierce, delivered Dec. 4, 1854.)

PRESIDENT FILLMORE.

We make no warrants * * * to maintain any theory of a balance of power. (From the first annual message of Millard Fillmore, delivered Dec. 2, 1850.)

PRESIDENT JACKSON.

Nor have we less reason to felicitate ourselves on the position of our political than of our commercial concerns. They remain in * * * a state of prosperity and peace, the effect of a wise attention to the parting advice of the revered Father of his Country * * * to cultivate free commerce and honest friendship with all nations, but to make entangling alliances with none. (From the fourth annual message of Andrew Jackson, delivered Dec. 4, 1832.)

PRESIDENT JOHN ADAMS.

I do not love to be entangled in the quarrels of Europe. I do not wish to be under obligations to any of them, and I am very unwilling they should rob us of the glory of vindicating our own liberties. (From a letter by John Adams to James Warren, Apr. 27, 1777.)

In preparing the project of a treaty to be proposed by Congress to France, in the year 1776, fully apprised of the importance of neutrality, I prescribe to myself as a rule to admit nothing which could compromise the United States in any future wars of Europe. (President John Adams to the inhabitants of Bridgetown, N. J., May 1, 1798.)

Republics are always divided in opinion concerning forms of governments and plans and details of administration. These divisions are generally harmless, often salutary, and seldom very hurtful, except when foreign nations interfere, and by their art and agents excite and ferment them into parties and factions. Such interference and influence must be resisted and exterminated, or it will end in America, as it did anciently in Greece, and in our own time in Europe, in our total destruction as a republican Government and independent power. (John Adams to the citizens of Baltimore, May 2, 1798.)

The wise and prudent measures adopted by my predecessor to pursue and support a fair and impartial neutrality with the belligerent powers of Europe coinciding with my own opinions and principles, more ancient than the birth of the United States, could not but be heartily approved and supported by me during his whole administration and steadily pursued until this time. (John Adams to the inhabitants of Bridgetown, N. J., May 1, 1798.)

PRESIDENT GRANT.

We were asked by the new Government to use our good offices, jointly with those of European powers, in the interests of peace. Answer was made that the established policy and the true interests of the United States forbade them to interfere in European questions jointly with European powers. (From the second annual message of U. S. Grant, delivered Dec. 5, 1870.)

PRESIDENT POLK.

The great results which have been developed and brought to light by this war will be of immeasurable importance in the future progress of our country. They will tend powerfully to preserve us from foreign collisions and to enable us to pursue uninterruptedly our cherished policy of "peace with all nations, entangling alliances with none." (From fourth annual message of James K. Polk, delivered Dec. 5, 1848.)

It is well known to the American people and to all nations that this Government has never interfered with the relations subsisting between other Governments. * * * We have not sought their territories by conquest; we have not mingled with parties in their domestic troubles, and, believing our own form of government to be the best, we have never attempted to propagate it by intrigues, by diplomacy, or by force. (From the first annual message of James K. Polk, delivered Dec. 2, 1845.)

PRESIDENT JACKSON.

Our best wish on all occasions, our good offices when required, will be afforded to promote the domestic tranquillity and foreign peace of all nations with whom we have any intercourse. Any intervention in their affairs further than this, even by the expression of an official opinion, is contrary to our principles of international policy and will always be avoided. (From the fourth annual message of Andrew Jackson, delivered Dec. 4, 1832.)

PRESIDENT JEFFERSON.

If we weather the present storm, I hope we shall avail ourselves of the calm of peace to place our foreign connections under a new and different arrangement * * *. As to everything except commerce, we ought to divorce ourselves from them all. (From the Writings of Thomas Jefferson, Ford edition, to Edward Rutledge, June 24, 1797.)

PRESIDENT POLK.

Our country stands higher in the respect of the world than at any former period. To continue to occupy this proud position it is only necessary to preserve peace and faithfully adhere to the great and fundamental principle of our foreign policy of noninterference in the domestic concerns of other nations. (From the fourth annual message of James K. Polk, President of the United States, delivered Dec. 5, 1848.)

PRESIDENT MONROE.

With the existing colonies or dependencies of any European power we have not interfered and we shall not interfere. (From President James Monroe's seventh annual message.)

PRESIDENT BUCHANAN.

To avoid entangling alliances has been the maxim of our policy ever since the days of Washington, and its wisdom no one will attempt to dispute. (From James Buchanan's inaugural address.)

PRESIDENT CLEVELAND.

Maintaining, as I do, the tenets of a line of precedents from Washington's day, which proscribe entangling alliances with foreign States, I do not favor a policy of acquisition of new and distant territory or the incorporation of remote interests with our own. (From Grover Cleveland's first annual message, delivered in Washington on Dec. 8, 1885.)

Not only the American Presidents and statesmen of the past but statesmen of the present day recognize the danger to America from entanglement in the struggles of greed and imperialism in which the nations of Europe are enmeshed.

William J. Bryan says:

If I know the sentiment of the American people, it is inconceivable that they should be willing to put the American Army and Navy at the command of an international council which would necessarily be controlled by European nations and allow that council to decide for us when we would go to war.

Of the greedy ones who promote war and profit by war Upton Sinclair, writer and reformer, who shocked the Nation with his exposure of the frightful oppression of its employees by the Beef Trust, says:

Billions upon billions of profits are being made out of this war, fortunes beyond telling and beyond belief are being piled up by the insiders of the Coal Trust, the Steel Trust, the Copper Trust, the Oil Trust, the Beef Trust, the Powder Trust. While your son and my son are dying in the trenches the owners of these gigantic profit machines are making 20, 40, sometimes as high as 80 per cent upon their capital stocks; and in most cases these stocks have been so watered that the true rate of profit is thousands of per cent on the original investments.

PRESIDENT JOHN ADAMS.

Congress will never adopt the right system of foreign affairs until they consider their interests as distinct and keep them separate from those of all other nations. (From a letter by John Adams to Arthur Lee, Apr. 12, 1783.)

PRESIDENT CLEVELAND.

If the balance of power is justly a cause for jealous anxiety among the Governments of the Old World and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government. (From the special message of President Grover Cleveland, delivered Dec. 17, 1895.)

Whatever may be the traditional sympathy of our countrymen as individuals with a people who seem to be struggling for larger autonomy and greater freedom, deepened, as such sympathy naturally must be, in behalf of our natives, yet the plain duty of their Government is to observe in good faith the recognized obligations of international relationship. (From the third annual message of Grover Cleveland (second administration), delivered Dec. 2, 1895.)

In his speech before Congress some months before the 1918 election, Mr. Wilson said:

* * * Politics is adjourned.

In his appeal to the voters a few days before the election of 1918, Mr. Wilson said:

If you have approved of my leadership and wish me to continue to be your unembarrassed spokesman in affairs at home and abroad, I earnestly beg that you will express yourselves unmistakably to that effect by returning a Democratic majority to both the Senate and House of Representatives.

Thus was politics adjourned.

Mr. Wilson was elected in 1912 by a minority, due to the split in the Republican Party. In 1914 the Democrats won with the cry, "War in the East, peace in the West, thank God for Wilson." In 1916 he was reelected under false pretenses with the cry, "He kept us out of war." Had the President at that time stated that he would recommend war against Germany he would have lost every State in the Union. Senator WATSON, in a speech delivered in Virginia, said this was "the basest betrayal ever perpetrated on the American people."

PRESIDENT MONROE.

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers. (From the seventh annual message of James Monroe, delivered Dec. 2, 1823.)

PRESIDENT FILLMORE.

It has been the uniform policy of this Government from its foundation to abstain from all interference in the domestic affairs of other nations. During the terrific contest of nation against nation which succeeded the French Revolution we were enabled by the wisdom and firmness of President Washington to maintain our neutrality. (From the third annual message of Millard Fillmore, delivered Dec. 6, 1852.)

The sinking of the *Lusitania* occurred a year before the 1916 election. Nothing occurred between the election and the declaration of war to change the situation. The case was already made up by election time. The facts and data were in Mr. Wilson's hands, and yet he went before the people on the issue of staying out of the war. How he lives with his conscience is beyond me.

In the next election of 1918 he presented his case to the people for their approval. He asked that his policy abroad be indorsed and asked them so to express themselves. The people emphatically repudiated his entangling foreign war policy and returned a Republican majority of 41 to the House and most unexpectedly gave a Republican majority in the Senate.

If any man was emphatically repudiated in the 1918 election, that man was certainly Mr. Wilson.

Let him cease trumpeting the sentiments of America abroad. The majority of Americans repudiate Mr. Wilson. Let him cease dining and wining with kings and emperors. Picture this false Democrat dwelling in the great palace of Prince Murat in Paris. The other day some one said that Woodrow Wilson might well write a book entitled "Kings Who Have Met Me"; and it was well said, while Americans starve by the million in our great cities, with poverty, unemployment, and hunger on the increase, while our taxes mount higher and even higher, our President transfers the Capital of the United States to Europe, hobnobs with royalty, and betrays the policy of Washington. The wrath of the people has already buried the Democratic Party, and the wrath of the people will yet overtake Mr. Wilson.

PRESIDENT JOHN ADAMS.

It is, in short, the only possible means of securing to our country that peace, neutrality, impartiality, and indifference in European wars, which, in my opinion, we shall be unwise in the last degree if we do not maintain. (From a letter by John Adams to the Congress, Sept. 5, 1783.)

PRESIDENT CLEVELAND.

The history of our recent dealings with other nations and our peaceful relations with them at this time additionally demonstrate the advantage of consistently adhering to a firm but just foreign policy, free from envious or ambitious national schemes, and characterized by entire honesty and sincerity. (From the second annual message of Grover Cleveland (second administration), delivered Dec. 3, 1894.)

PRESIDENT JOHN ADAMS.

But my system was determined, and had been so for more than 20 years, that is, to enter into no alliance with any power in Europe. In case of war with England I would not enter into any alliance with France. In case of war with France I would not form any alliance with England. (From John Adams's correspondence, published in the Boston Patriot, Apr., 1809.)

We should have suspended our judgment and been as neutral and impartial between the parties in France as between the nations of Europe. (John Adams to the inhabitants of Providence, R. I., Apr. 30, 1798.)

It is bad enough when the rich and powerful daily defy the laws of the land, which the weak and poor are expected to implicitly obey; it is even worse when high officials of the Government itself defy and disobey the laws which they themselves have placed upon the statute books.

In 1913 the Sixty-second Congress passed an act which provided:

Hereafter the Executive shall not extend or accept any invitations to participate in any international congress, conference, or like event without first having specific authority of law to do so. (U. S. Stat. L., vol. 37, pt. 1; Public Laws, p. 913, ch. 149.)

President Wilson's two trips to Europe "to participate in the international congress" at Paris are a direct violation of this law. By virtue of his office under the Constitution as President he is a part of the lawmaking power of the United States. The proud boast of Americans in the past has been that ours is a Government of laws and not of men. How long will it remain so if the highest officers of the Government set other men an example of open violation of the law?

PRESIDENT CLEVELAND.

This incident and the events leading up to it signally illustrate the impolicy of entangling alliances with foreign powers. (From the first annual message of Grover Cleveland (second administration), delivered Dec. 4, 1893.)

PRESIDENT PIERCE.

It is the traditional and settled policy of the United States to maintain impartial neutrality during the wars which from time to time occur among the great powers of the world. (From the third annual message of President Franklin Pierce, Dec. 31, 1855.)

PRESIDENT FILLMORE.

To maintain a strict neutrality in foreign wars, to cultivate friendly relations, to reciprocate every noble and generous act, and to perform punctually and scrupulously every treaty obligation—these are the duties which we owe to other States. (From the first annual message of President Millard Fillmore, delivered Dec. 2, 1850.)

PRESIDENT POLK.

It has been my constant aim and desire to cultivate peace and commerce with all nations. Tranquillity at home and peaceful relations abroad constitute the true permanent policy of our country. (From the fourth annual message of President James K. Polk, delivered Dec. 5, 1848.)

PRESIDENT JOHN QUINCY ADAMS.

Among the inquiries which were thought entitled to consideration before the determination was taken to accept the invitation was that whether the measure might not have the tendency to change the policy hitherto invariably pursued by the United States of avoiding all entangling alliances and all unnecessary foreign connections. (From a message to the House of Representatives by John Quincy Adams, delivered Mar. 15, 1826.)

America should not support or adopt any scheme of foreign policy, whether in the form of treaty, alliance, or league, which binds the United States to help maintain or impair the territorial integrity or the social, economic, or political institutions of other countries.

The people of each nation should be free to work out their own destiny without dictation from other nations and without dictating to other nations how they should manage their own affairs.

These are the principles which I am firmly convinced furnish our people and our Government the safest and wisest rule of conduct in the present grave emergency. I have full faith that they are the principles approved by the great majority of my fellow citizens. Practically all the Presidents of the United States who have spoken on this subject from 1789 to 1913 have laid down the same principle as the settled rule and guide for America's foreign policy.

Let one people, one country, one flag, mean just that and nothing more. Let us act for ourselves. Let us perfect this haven of liberty. Let no man come into our midst with dreams of world power and world dominion. Let others rage; let cowards tremble; our freemen stand strong. Proclaim to the nations that we will not serve others; we will not yoke ourselves with kings; we will not stoop before Europeans. We have but one hope, one desire; in our own hearts we place America first.

America first! Write it across the skies! Proclaim it to all the world! Standing here in the midst of a world crisis, we renew our pledge to our own independence, to our own liberty. We defy those who strive to yoke us like oxen in a mill. We serve notice on all foreigners: Hands off our Government! You shall not command us! You shall not control America in this hour! You shall not sacrifice our honor to glut your ambition! You shall not crucify the American people upon a cross of kings!

Opposing tax exemption of Federal land-bank bonds because it impairs national credit; depreciates liberty bonds, causing losses to 20,000,000 patriotic investors; enables wealthy individuals and corporations to evade war taxes; increases taxes on those who can not escape taxation; increases the cost of living to all consumers.

EXTENSION OF REMARKS

OF

HON. LOUIS T. McFADDEN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 28, 1919.

Mr. McFADDEN. Mr. Speaker, a message from the Senate this morning announces that the Senate has passed S. 5512, an act to amend the Federal farm-loan act, approved July 17, 1916.

A similar measure as a House bill has been considered by the House Committee on Banking and Currency. After it had been fully explained by Farm Loan Commissioner Norris, and carefully considered in detail, the committee decided against reporting it. Additional aid in one form or another is asked for the Federal farm-loan system at every session of Congress. In 1918 we gave them a special appropriation of $200,000,000 to tide them over their temporary difficulties. Now they ask for a permanent revolving fund of $50,000,000 in this bill. Another heavy appropriation of nearly a quarter of a million was made for expenses last week. In addition to these, a provision in the war-risk insurance bill, Senate bill 5555, provides for piling up a reserve fund to be invested in Federal land-bank bonds. At every twist and turn of legislation we find attempts to raid the Public Treasury to help this system. The same questions will

doubtless come before the next Congress, and I feel that Congress and the public should be advised in advance. The appropriation of a few hundred million dollars more or less is a trifle compared with the great losses which will perpetually continue from year to year if the present complete tax exemption of land-bank bonds is continued.

Mr. Speaker, I voted for the Federal farm-loan act when it was enacted nearly three years ago. I can therefore discuss it impartially now as a man friendly to the purposes intended, but skeptical as to many uneconomic and fallacious theories that were incorporated in it, causing enormous overhead expenses.

The most beautiful and beneficent plans for the improvement of the conditions of mankind when enacted into law and submitted to the test of practical life sometimes fail.

The circumstances and conditions at the time of their creation and application to affairs must determine the success or failure of all new laws. In a measure, all statutes applying new theories to financial and business life are experimental. The best intentioned legislation often produces unexpected and unfortunate results. One of the most important functions of every legislative body in every country is the amendment and repeal of existing laws which through error in conception or from change of conditions may require modification to best serve the purposes of the people for whom they were enacted.

I represent an agricultural district in the State of Pennsylvania. Naturally, in supporting measures in Congress, I am deeply considerate of their effects on the industries of my own locality as well as on the country at large. My district is the one once represented in this body by Galusha A. Grow, the father of the homestead law, and I desire to live up to its traditions. My duty requires that I faithfully represent all the people of my district—the wage earner, the business man, and the farmer. I owe a duty to the farmer who by thrift and economy has paid off his debts as much as to the man whose farm is only partly paid for.

During the sessions of the Sixty-fourth Congress, when the Federal farm-loan act was formed and perfected, I was a member of the House Committee on Banking and Currency, which had this act under consideration. When we were formulating the measure which subsequently became the law, every section and every line was most carefully considered and freely discussed. In fact, this law was not the result of the work of one session, but the growth of years of study and deliberation.

As the representative of an agricultural district, I was predisposed to favor the purposes of the bill. As the measure developed and assumed complete form during the deliberations of our committee and the several associated committees of the Senate and House, I became deeply interested in it and devoted my best efforts to its perfection and enactment. At that time I offered several amendments to the bill, which, had they been adopted, would, in my opinion, have strengthened the law and have prevented several difficulties that now confront the system.

It is not with the disposition of an enemy but as a friend that I now suggest amendments to the Federal farm-loan act, which in my judgment changed circumstances and conditions render not only desirable but imperative.

The subject of rural credits first received the formal consideration of the National Government in 1913, following several years of general agitation. The formal joint hearings of the subcommittees of the Committees on Banking and Currency of the Senate and House of Representatives were held early in 1914, several months before the world war began in Europe. The law was enacted in 1916, nearly a year before this country became involved in the great conflict.

In those days the prices of corn, wheat, cotton, hogs, and other farm products were not one-half of what they are to-day. Our national debt was too small to be considered, and income taxes were almost negligible and of no interest or import to 95 per cent of our citizens. Then the tax exemption of Federal land-bank bonds was a mere incidental provision of slight importance, and it received little consideration or attention.

Now all this is changed. Nearly everything is subject to war taxes. From chewing gum and candy to clothing, from postal rates to property inherited, from medicines to wages earned by work of hand or brain, a tribute must be paid to the national taxgatherer.

The Nation staggers under our enormous war debt of nearly $17,000,000,000. It is likely to be $25,000,000,000 and perhaps $30,000,000,000 before the costs of the war are all settled. Over 20,000,000 patriotic bondholders have lost over $800,000,000 by the depreciation of liberty bonds. It has been decided to be impossible to float another issue of long-time bonds, and Congress has found it necessary to give unusual powers to the Secretary of the Treasury that he may be enabled to borrow $5,000,000,000 on short-time notes.

Under this changed condition of affairs I consider it my duty as the representative of my district and as a Member of the Congress of the United States to favor the repeal of that part of the law which enables the owners of Federal land-bank bonds and of joint-stock land-bank bonds to evade the payment of their just and legal proportion of war taxes.

When the Federal Farm Loan System was created it was claimed that advantages would accrue to farmers from Government supervision and through management of the business without profit by the employment of salaried officials and subordinates.

The levying of a heavy income tax since the enactment of the act has entirely changed the result from that originally intended.

The Federal farm-loan act now enables persons receiving large incomes to evade their war taxes.

Misleading statements have led many people into the mistaken belief that these bonds are Government obligations. They are not Government obligations. There is not a single paragraph, line, or word in this law or any other law that makes the United States Government responsible for the payment of one cent of principal or interest of the bonds of Federal land banks or joint-stock land banks. In fact, because they are not obligations of the Government, a serious legal question is involved as to whether or not the Congress had the right to exempt them from taxation. Sooner or later the courts will be called on to decide that question. Persons receiving large incomes are willing to take chances because of the tax exemption. Those receiving incomes in excess of $28,000 per year under the new law are required to pay one-fourth of their income in taxes on the excess above $28,000. On the excess above $78,000 per year half of the income is required as an income tax.

The tax on incomes in excess of $1,000,000 is 77 per cent, of which 12 per cent is normal tax and 65 per cent is surtax. On $50,000 received from 5 per cent taxable securities the annual tax payable to the National Treasury by a person receiving an income in excess of $1,000,000 is $38,500. When such a millionaire owns Federal land-bank bonds or joint-stock land-bank bonds this amount is a total loss to the National Treasury, as such bonds are free from Federal, State, and local taxes.

On a $50,000 income received from liberty bonds held in excess of the exemption limit the same wealthy person would be required to pay an income tax of $32,500. Liberty bonds, except the first issue, are subject to the surtax.

This discrimination against liberty bonds and in favor of land-bank bonds results in a depreciation of liberty bonds.

Persons receiving small incomes may purchase a few tax-exempt 5 per cent bonds, but they will soon learn that as they pay no income tax it will be more profitable for them to convert their tax-exempt 5 per cent bonds into taxable 6 per cent bonds. Persons receiving larger incomes, to whom the tax-free privilege is worth 2 per cent or 3 per cent every year, can well afford to pay a premium for land-bank bonds. In the summer of 1918 land-bank bonds were resold in the New York market at 106 and even higher. Following the natural tendency to seek a financial level, these tax-exempt bonds will rapidly drift into the possession of persons and corporations receiving larger incomes, in whose possession they will cause the greatest loss to the National Treasury. Land-bank bonds are readily sold at a premium. A Chicago syndicate, on February 25, advertised $3,000,000 of joint-stock land-bank bonds at 102. Liberty bonds are now sold, less accrued interest, at nearly 10 points lower.

Before the value of tax exemption to the wealthy investor became generally known Federal land-bank bonds for several good reasons were slow of sale. In January, 1918, Congress, at the request of Secretary McAdoo and the Federal Farm Loan Board, appropriated $200,000,000, which the Secretary of the Treasury was authorized to draw from the National Treasury to purchase land-bank bonds in order that Federal land banks might be enabled to continue in operation. At the close of 1918 the National Treasury had on hand about $67,000,000 of Federal land-bank bonds which had been thus purchased by funds from the National Treasury.

In May, 1918, a vigorous advertising campaign was put on in the newspapers for the sale of Federal land-bank 5 per cent tax-free bonds, and they were sold to the amount of about $55,000,000, coming in direct competition with liberty bonds. Owing to the depreciation of liberty bonds, the public sale of Federal land-bank bonds was discontinued for a few months during the last of 1918.

In January, 1919, the sale of Federal land-bank bonds "over the counter" at Federal land banks was resumed, and they are now so sold in competition with liberty bonds. They are not advertised in newspapers, but circulars offering them for sale are mailed to investors.

The sale of joint-stock land-bank bonds has been vigorously kept up by newspaper advertising and by personal solicitation, materially depressing the market for liberty bonds, which do not have the same freedom from taxation which the law gives to land-bank bonds.

Thousands of people of moderate means have been compelled to sell their liberty bonds at a sacrifice. It is estimated that in the market of New York City alone during the month of January an average of half a million dollars was lost every day by the sale of $10,000,000 of liberty bonds each day at an approximate price of 95.

The great demand for tax-exempt securities on the part of people who desire to evade war taxes has nearly doubled the number of joint-stock land banks since the 1st of December, and new ones will spring up every month. It has also greatly increased the demand for bonds of Federal land banks. The land banks are now working to capacity and unable to supply the call for tax-exempt securities. There are 12 Federal land banks. So great is the demand for the bonds that the president of one of them, which made $15,000,000 of loans in 1918, predicts that his bank will do a business of $50,000,000 this year.

There are over $4,000,000,000 of farm mortgages in the United States on which the income is subject to Federal income tax. They are also subject to State and local taxation.

The refunding of these mortgages by land banks will exempt them from all forms of taxes, Federal and local, affording a tax-free investment field for persons with large incomes. This will still further depreciate the price of liberty bonds now in existence and will make the sale of future issues more difficult. Another result will be to cause the withdrawal of taxable time deposits from banks and their investment in these tax-free land-bank bonds.

The approximate amount of $200,000,000 of land-bank bonds absorbed by the public and by the National Treasury is small as compared with the amount of liberty bonds in existence, and some authorities deny that this could affect the market.

It is well known that prices rise or fall in anticipation of competing conditions. The prices of wheat, cotton, and hogs are affected by the prospect for the crop of next year and by the probable amount of imports from competing countries. The same natural laws of supply and demand affect the market price of bonds as of agricultural products. The probable issue within a few years of several billion dollars of tax-free farm land-bank bonds affects the present market for liberty bonds just as the report that the embargo had been lifted from the importation of Argentine corn caused the market price in leading American markets to drop 7 cents in one day before a single bushel had been loaded for shipment from South America.

According to the latest printed reports of the Department of Internal Revenue, there are 6,633 revenue returns showing incomes in excess of $100,000, of which number 206 exceed a million dollars.

It is estimated that 21,375,000 families in this country receive incomes that do not exceed $2,000 per year and are not subject to income tax. Not one of these 21,375,000 families could receive the benefit of a penny from investment in bonds free from income taxes. Millions of them are patriotic investors in liberty bonds, and on them has come the bulk of the loss caused by sale of liberty bonds at a discount.

Every dollar of taxes evaded by wealthy owners of land-bank tax-free bonds is shifted to others who own taxable property and to consumers who are compelled to pay higher prices for the clothes they wear and for every article of merchandise they use because of the increased taxes levied on manufacturers and merchants. All are made to suffer that a very few may benefit.

To a person receiving an income of $1,000,000 the tax exemption of 77 per cent is worth 3.85 per cent per year on a 5 per cent land-bank bond. To a person receiving $100,000 per year the tax exemption of 66 per cent is worth 3.3 per cent per year on a 5 per cent land-bank bond. With the $4,000,000,000 of farm loans refunded in 5 per cent tax-exempted bonds, if held by bondholders having an average income of $100,000 per year, the national loss would be $132,000,000 every year.

Careful investigation shows that in localities where three-fourths of the land-bank loans are made the benefit to the borrower is less than half of 1 per cent. In Iowa, where loans are now being made by Federal land banks to the extent of a million and a half a month, the current commercial rate for over 25 years has been 5½ to 6 per cent. Federal land banks are loaning at 5½ per cent and joint-stock land banks are loaning at 6 per cent. In other sure-crop States, where over two-thirds of the food crops of this country are raised, conditions are the same. Less than one-sixth of the tax-exemption benefit goes to the borrower, while the deficit in the National Treasury must be made up by the taxpayers at large at a net loss to the Nation of over five-sixths.

A loan of $140,000 was recently made to one man on land in Barrington Township, Cook County, Ill., at 6 per cent by a joint-stock land bank. The rate is not lower than would have been made by any loan company, though private investors would probably have insisted on a more conservative loan. On this one loan the National Treasury would lose annually $4,620 if the bonds were held by a person receiving an income of $100,000.

The original purposes of the law are now defeated by the effects of increased income taxes and by the present methods of its administration. Instead of being a special aid to farmers of small means, it is largely used to finance well-to-do real estate owners who are not suitable subjects for charitable aid at Government expense. It also enables the wealthy to dodge tax burdens which then fall on the less fortunate.

To show the small benefit of these loans to the borrower and the great benefit to the bondholder, assume that Peter Smith, of Illinois, borrows $10,000. He gives a mortgage for $10,000. He receives $9,500 in cash and $500 in bank stock, on which he assumes a double liability, making his entire liability $10,500. He pays $550 a year interest, or 5½ per cent on $10,000. He only has the use of $9,500, but he hopes that when the loan is paid off in 34½ years that the settlement will show a profit on the bank stock. Smith could have borrowed that $10,000 at 6 per cent from a private investor and had the use of $10,000 by paying $600 a year without running any risk of loss or double liability on the $500 of bank stock. But if everything turns out all right and the bank pays dividends for 34½ years, Smith will save $50 the first year.

Now, take the other side of the case and see what the American taxpayers lose through the deficit in the National Treasury caused by the tax exemption of $10,000 of bonds that had to be sold to furnish the money for Smith. Over 200 individuals and corporations receiving incomes of more than a million dollars a year are subject to an income tax of 77 per cent on the excess above a million. On $10,000 of 5 per cent bonds the income is $500 a year. The income tax of 77 per cent on $500 is $385. This owner of the tax-exempt farm bonds makes $385 a year because he is not required to pay that amount into the National Treasury. To offset this loss to the National Treasury Peter Smith hopes to make $50. Here is a net loss of $335 a year that Smith's neighbors and other citizens of the country must pay to make up the deficit in the National Treasury caused by this tax exemption on the Smith bonds. It would save $335 to the taxpayers annually if the bondholders were required to pay legal taxes and Smith was given a donation of $50 from the National Treasury. The tax-exempt bonds may run for 20 years, and it will be more than 20 years before the war debts are paid.

Mr. Speaker, the unexpected effect of the law increasing taxes has been to automatically reverse the action of the tax-exemption section of the Federal farm-loan act. Instead of benefiting the poor farmer, it most benefits the very rich bondholder at a ratio of $385 to $50, more than 7 to 1.

The law now provides that loans may be made as small as $100 and as large as $10,000.

The last report of the Federal Farm Loan Board recommends amendments to eliminate all loans below $500 and to increase the limit to $25,000. In order to qualify under the law for a $25,000 loan a landowner must have property worth $50,000. During the past year the land banks have violated the plain intent of the law by permitting landowners to obtain loans larger than $10,000. This was admitted by Farm Loan Commissioner Norris before the House Committee on Banking and Currency very recently.

This has been done by resorting to the subterfuge of permitting the farm owner to temporarily transfer parts of his farm to his wife and other members of his family for borrowing purposes. By such connivance loans of $20,000 or more could readily be made. At the same time dozens of deserving applicants for small loans, whom the law was especially enacted to benefit, have been ignored and compelled to borrow elsewhere. I insist that this is an unwarranted misuse of the law, detrimental to the public good in this time of financial stress.

These large loans enable wealthy landowners to acquire the farms of their neighbors and make it more difficult for tenants to become farm owners. This special favoritism has a tendency to inflate prices and encourages speculation rather than farm settlement. When the bill was before the House in 1916 I contended that it would "not open a way for landless men without capital to become landowners." One of my opponents then used this language:

> It is not possible for one individual to borrow more than $10,000 * * * it is intended to help the farmer who is not well to do; it is intended to help the tenant farmer to get a home.

Mr. Speaker, I now assert without fear of contradiction that my position was correct. I refer to the monthly reports and to

the annual report of the Federal Farm Loan Board to prove that the landless man is getting very little land.

To repeal the tax-exemption section of the Federal farm-loan act will not interfere with the purposes for which the law was enacted.

The continuance of this tax exemption of land-bank bonds will be in effect a special subsidy granted to a very few farmers at great expense to the Nation. During the first two years following the enactment of the law only one farmer in each hundred was favored, and only 1 family was benefited annually out of 604 families engaged in all occupations, while all were compelled to pay higher taxes and higher living expenses to help the few.

It would have been much cheaper to have given a direct bonus to all families benefited than to have favored them by the expensive method of granting them tax exemptions to bondholders.

When the bill was under consideration three years ago, I opposed the sections which have since virtually granted a subsidy to about 1 per cent of the farmers, less than 70,000, at the expense of 110,000,000 people. This subsidy in the form of tax exemption is most unjust and dangerous and many times more expensive to the Nation than the free use of $9,000,000 capital and the heavy overhead and general costs that the public pays.

Continuance of this tax exemption will soon make it necessary to create Government supervised banks, operated by salaried Government officials, to loan money on personal credit and to loan on village and city property, for the reason that other classes will demand the special privileges now granted to a small part of the farming class. All this will need to be done on tax-exempt bonds and mortgages, to the great loss of the majority of American citizens.

Hon. Louis F. Post, Assistant Secretary of Labor, recently stated with regard to the payment of wages:

> Business men and employers are overlooking the fact that the real employer of labor is the consumer—the laboring man himself. Every man who is put to work, whether it be building a house, constructing a road, or digging a ditch, is employing other men—men who sell him food and clothes—and these in turn employ others who manufacture the food and clothes.

I desire to add that the real taxpayer is the consumer. Everything he eats, wears, or uses is made higher priced by the increased taxes paid by merchants and manufacturers when they are compelled to carry the tax burdens evaded by owners of tax-free bonds. The man and woman who consume all of their incomes every year pay a heavier proportionate indirect consumption tax than those who have larger incomes and are thus enabled to save part.

The tax exemption of land-bank bonds is a dangerous entering wedge toward converting the banking business and other private enterprises and industries into Government monopolies inefficiently operated at the expense of the general taxpaying public, by Government employees whose principal interest is in the salaries they receive, and who can not be pecuniarily affected by the success or failure of the business which they are hired to supervise or conduct.

The country will never receive as good service from banks, grocery stores, shops, or shoe factories as at the present time if they are taken under Government management. Managers and employees directly interested in economical and efficient management give better service than those who depend on taxes instead of profits for salaries.

It will be an unlucky day for the American citizen when the clothes he wears are manufactured by the Government or when fire insurance becomes a Government monopoly, if the same high carnival of expense prevails as that which marked the output of Government-manufactured airplanes and warships.

The experiences of the past two years cause the taxpayer to shudder and his pocketbook to shrivel.

It is conceded by all economists that the evasion of taxes by one class of citizens causes heavier tax burdens to be imposed on other citizens. The Federal census of 1910 shows 6,361,502 farms in the United States. Mortgaged farms occupied by owners were 1,327,439. These are the only farms that can be legally mortgaged to the Federal land banks. Therefore if loans are made under this law to the fullest extent only one farm out of five would be benefited, and four farmers out of five would suffer that one might receive slight benefits from the tax exemption. The farmers who received the loans would find the benefits largely offset by the heavier direct and indirect taxes which they would be compelled to pay because of the bondholders' exemption from taxation. Wage earners and persons engaged in all other occupations receive no benefit and are required to pay higher taxes because bondholders are exempt.

The farmers of this country are sincere patriots. They do not ask to be aided by accepting a very small part of a tax-exemption bonus donated to tax-dodging millionaires. In this respect I know they are in accord with the utterance of President Wilson in his first annual message when he said:

> The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint concerted local action in their own behalf in getting the capital they must use.

I voted for this bill in the vain hope that the law would benefit the small farmer and aid the man of moderate means to buy a farm of his own.

I then feared and predicted that the law would be used to finance wealthy landowners and large real estate operations. I did not expect to see the struggling applicant for a $100 or $300 or $400 loan neglected in order that the proceeds of liberty bonds could be loaned to the rich farmer, who, by putting part of his property in his wife's name, might borrow $20,000, while many deserving applicants for small loans of $500 each might wait in vain for help. It is no secret that large loans are more profitable for the Federal land banks, and therefore the tendency is to give the cold shoulder to the small borrower.

Mr. Speaker, I am discussing this subject as a business man. It is not a political question. The largest percentage of big loans in excess of the legal limit of $10,000 will be found in northern Republican States, like Illinois, Iowa, and Minnesota. The greatest number of complaints because of neglect of the small borrower come from southern Democratic States. My objections to this law are nonpartisan. Tax exemption is economically wrong, scientifically wrong.

When the law was enacted in 1916 no one could foresee the war and its burden of debt and heavy taxes. Had the present income-tax law been in effect in 1916 the tax-exemption section of the Federal farm-loan act would never have passed Congress. When I voted for this law I did not expect to see the time come when it could be used to enable rich individuals and great corporations to evade war taxes by converting taxable assets into Federal land-bank tax-free bonds.

The tax exemption of future issues of Federal land-bank bonds and joint-stock land-bank bonds should be stopped, because it—

Impairs the national credit and depreciates liberty bonds.

Enables wealthy individuals and corporations to evade war taxes.

Causes a direct and increasing loss to the National Treasury.

Increases the taxes on persons and property that can not escape taxation.

Causes heavy losses to over 20,000,000 patriotic investors in liberty bonds.

Increases the cost of living to all consumers.

Mr. Speaker, in closing I desire to repeat that all of the original purposes for which the law was enacted can be promoted if the tax amendments I favor are adopted.

SPEECH

OF

HON. CHAS. POPE CALDWELL,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 10, 1919.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. CALDWELL. Mr. Chairman, the improvement of Newtown Creek is between the second and third congressional districts of New York. I represent the second district and am very familiar with the situation. This improvement is for the purpose of taking care of the commerce that is now actually knocking at the door. This river is only 4 miles long, and yet it carries for its length more commerce than any other river in the world. The commerce that is coming there is of almost every kind and character. The river is full all the time, and it is necessary to take care of the increased business that the building up of that community is demanding. Every week since September, 1918, a new factory has been erected within 2 miles of this river. To-day the second congressional district has more factories than any State in the Union except six, and there is more commerce on the waters in this little 4-mile stream than in the great city of Philadelphia. So much for the local improvement.

But there is something else in this. It seems to me that we ought now at this time to consider the condition of our country.

I want to call attention to the fact that on the 11th of November, 1918, the world had something like 6,450,000 dead-weight tons less of shipping than she had on the 1st of August, 1914; that prior to the 1st of August, 1914, the average production of tonnage in the world was approximately 3,600,000 tons a year, so that to-day we are approximately 20,850,000 dead-weight tons behind what we would have had without the war.

In addition to that, if we undertook immediately, with the present world capacity, to supply that deficiency, it would take us about four years to complete the job, so that 35,000,000 dead-weight tons of ships must be built to make us whole within a very short time.

It also happens that America to-day is perhaps better equipped than all the rest of the world to supply that deficiency in tonnage, and I have no doubt, from the attitude taken by the administration, that an effort is going to be made to have America assume her share of the burden of doing that. You can see how important the development is when you realize that America is going to do her share, and that we will probably make, in addition to the nine or ten million dead-weight tons we now have, something over 20,000,000 dead-weight tons. If we create half of the new tonnage we are going to have a merchant marine of which our country may be proud, and it is going to be put to work if we have facilities to enable it to dock in our country.

I hope you will pardon me for making these observations, because I live in an industrial and commercial center, and these matters are very much alive with us, and I have given them some study. The war has resulted in the loss of many million workingmen from Russia. It has resulted in the loss of commercial enterprise, and it has left over 200,000,000 people depending on the rest of the world for business enterprise. Half of Germany's manhood has been wiped out, or crippled or maimed, between the ages of 16 years and 50; its ocean-going ships have been confiscated and its industries ruined. England has lost millions of maimed, crippled, and dead, and France has suffered likewise. Italy has also lost an enormous man power, while we in America occupy a unique position, having fought a war and come out at the end with approximately as many men as we would have had if we had not gone in the war, because the sanitary conditions in our camps have resulted in a lower death rate among the men than would have occurred if they had not been in the Army.

Our business has been kept up because the allies have purchased a portion of their munitions and supplies here. Our factories have been greatly enlarged and have been running at full speed, and our business men have been wise enough to look forward to the day after the war. They have taken war business, looking forward to the time when we would come into peace, and an opportunity would be afforded to reap the great reward that has come to us because of the humanitarian war that we have carried on.

Now, then, the world's shipping, the world's business, is largely going to be done here, because we have the factories, we have the man power, and it is going to be done here because a great part of the world's shipping is going to be of American registry, and it is for this Congress at this time to look at this thing in a big, broad way, and make harbors here to take care of the world's commerce we are going to draw during the years that follow peace.

I point this out to you to show you the interest I have in the matter, because I represent a portion of the New York Harbor district. New York Harbor is fast becoming congested, and something must be done at once. We have pending now projects for the Jamaica Bay development, the Flushing Bay development, and all of the waters around New York Harbor, as mentioned to you by Dock Commissioner Hulbert, who was recently a Member of this House, which have not been adopted.

I only urge upon you the necessity at this time of adopting a broad policy to start out to spend the money that the President in his message here a few days ago said we ought to spend, so as to keep our people working, so that the transition period will not be one of stagnation, but one of development, and the spending of this money in the development of our harbors is laying up treasure for the time to come.

I am particularly interested in the development of Newtown Creek. There has been a recommendation for the carrying forward of that river, with an expenditure of $510,000. I introduced a bill at the last session of Congress, and the War Department has recommended it. The enormous tonnage carried by this little river makes it imperative that such improvement be made to relieve congestion and permit proper commercial development of adjacent municipalities.

Cotton.

EXTENSION OF REMARKS
OF
HON. J. THOMAS HEFLIN,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 3, 1919.

Mr. HEFLIN. Mr. Speaker, I obtained permission to print some remarks in the RECORD about cotton for the purpose of discussing some features of the cotton question in addition to those that I have presented to the House in the speeches that I have made during the last session of Congress.

I want to bring to the attention of the country the fact that it cost more to produce the cotton crop of 1918 than any crop ever produced in the United States. Thousands of boys who helped to produce the crop of 1917 had been called to the colors, and this fact alone presented a very serious labor situation in the cotton-growing States. In addition to that, the price paid for labor at camps and cantonments, at munitions plants and industrial centers where guns and war supplies of every kind were being made, took thousands of white and negro laborers from the cotton belt, and in the spring of 1918 the cotton farmer found himself face to face with a very embarrassing labor situation. He could not obtain the labor he desired and needed, and that which he did procure cost him four times as much as the same character of labor had cost him in any previous year. Fertilizers cost from four to eight times as much as formerly, and agricultural implements four times as much, while plow mules, for which he paid $100 a few years ago, cost him from $250 to $300 in 1918. Another big item of expense in the production of the cotton crop of 1918 was caused by the boll weevil.

I have made diligent and wide inquiry in all the cotton-growing States as to the cost of producing the 1918 cotton crop, and every answer that I have received places the cost of production above 24 cents a pound, the figures going as high as 28 cents. Now, let us see what the farmer making five bales of cotton—and this is above the average yield—has expended in producing it at 24 cents a pound. The five bales have cost him $600. If he sells this cotton at 23 cents a pound, he will receive $575 for the five bales, $25 less than it cost to produce them. His year's work is gone, and not a cent of profit has he made, but he has lost $25 in the transaction that it took him 12 months to complete. If he should sell it for 30 cents a pound, he would have a profit of only $150 on his entire cotton crop to show for his time, his investment, and his labors for a whole year. I mention this situation in order that those who do not live in the cotton-growing States may know and understand why the farmers, merchants, and bankers throughout the cotton belt are standing together in a strong cotton-holding movement and refusing to sell for less than 30 cents a pound.

This concerted action on the part of the farmers, merchants, and bankers of the cotton belt is for the purpose of preventing tremendous losses on the remainder of the cotton crop of 1918 and to secure for the cotton producers of the United States a price that will cover the cost of production plus a fair and reasonable profit. From farmer to merchant and from merchant to banker every investment made and every business calculation indulged in with regard to the production of cotton figured that the minimum price would be not less than 30 cents a pound. Labor was employed, implements and live stock purchased, general supplies furnished, and money advanced, all with the conviction that cotton would sell for 30 cents or more. The cotton spinners of the United States expected to pay more than 30 cents. They did pay more than that for hundreds of thousands of bales of the 1918 crop. In contracting for the sale of goods to be made of cotton produced in 1918 they figured that the cost of the cotton to be used in their mills would be from 35 to 40 cents a pound.

Farmer, merchant, and banker in the cotton-growing States all knew that cotton would have to sell for more than 30 cents in order to yield the producer a profit and enable him to meet his obligations to the merchant and banker who had cooperated with him in the making of the crop. The cotton spinner was acquainted with this situation and made his arrangements to pay from 35 to 40 cents a pound for cotton, and he did pay 35 cents for some of his supply.

Remember that these cotton prices obtained when the war was raging and uncertainty and danger followed every bale exported from the United States. But when the war had ended

and cotton could move freely, so far as submarine danger was concerned, we saw the spinning interests of the Old World enter into a bear conspiracy to beat down the price of American cotton, and they commenced to operate upon the cotton exchanges, and they joined forces with certain spinning interests over here and sold the market short—that is, these spinners who had no cotton to sell sold the word "cotton" in lots of thousands of bales, and kept selling until they had beaten down the exchange quotation and cotton futures went down $75 a bale.

This occurred in the face of the fact that the cotton crop of the United States was about 6,000,000 bales short of the world's demand. This bear conspiracy paid no attention to the facts of the actual supply of cotton or to the consumptive demand for American cotton. It ignored the law of supply and demand, and sought through a cotton-gambling deal to hammer down the price, stampede the American producer, and frighten him into selling at the low price that they were pleased to pay.

Then, in order to prevent the loss of hundreds of millions of dollars on the cotton crop of 1918, our farmers, merchants, and bankers were compelled to unite their forces in a strong cotton-holding movement. They were driven to this course by the inexcusable and indefensible conduct of a band of foreign and certain domestic spinners, who set themselves to the task of gambling down cotton values, so that they could reap tremendous profits. They cared nothing for the producers' right to demand a living profit or for the financial losses and business disaster that would surely come to the cotton producers of the United States if the bear conspiracy had succeeded in forcing them to sell cotton below the cost of production.

These financial losses and this business disaster would have fallen not only upon the cotton producers but also upon the merchant and banker in the cotton-growing States. The producer and merchant who had cotton could not afford to sell at the low price arbitrarily fixed through a gambling deal on the cotton exchange, and they had to borrow money to enable them to hold their cotton. The banks came to their rescue and lent them money on the cotton that they held. So the producer, the merchant, and the banker were all in the same boat, and the unity of purpose and concerted action they have shown in their determination to hold the remainder of this cotton crop until the price will yield a profit is commendable and praiseworthy from every honest viewpoint. I commend them for the stand they have taken; I praise them for the business acumen, intelligence, and foresight displayed in this cooperative movement to enforce our just demand for a cotton price that will yield a fair profit. But for this united stand cotton would not—it could not—have been held. If it had not been held foreign merchants and spinners would have purchased it at a low price, a price that would not have covered the cost of production, the cotton producers of the United States would have suffered heavy financial losses, and business would have been injured in other sections of the country.

The East, the North, and the West would all have felt the evil effects of the low prices paid for this great American product. When cotton fares well in the markets of the world and our producers receive a good price, they are able and willing to pay good prices for all that they buy from the merchants and manufacturers of the East and North and for the meat and grain and hay and live stock that they buy from the people of the West. So it is clearly seen that if a combination of foreign cotton merchants and spinners, aided by certain spinners over here, is permitted to beat down the price of American cotton and buy it at a low price they not only hurt the business of and greatly injure the cotton producers of the United States, but hurt also every man with whom the cotton producer has business, every man from whom he buys supplies of any kind. When the cotton producer of the United States prospers, his prosperity is shared by the people of every section of the country. The more money we have with which to buy, the better prices we are able to pay for what the merchants and manufacturers of other sections have to sell. The cotton-growing States are good customers of the East, the North, and the West, and when anything happens to cut down our purchasing power it injuriously affects those from whom we buy in the other three great sections of our country.

The prosperity of the cotton industry of the United States not only contributes to the financial wealth of every other section but serves the Nation as no other agricultural product does or can; it brings to our country the balance of trade, and brings gold when all other products fail. God has given to the United States a monopoly in the production of white, short-staple cotton; it can not be produced anywhere else in the world. We produce in normal times about two-thirds of the world's supply of cotton. Why should we permit a combination of foreign interests to come over here and beat down the price of American cotton and injure everybody who has to do with the production and sale of cotton in the United States? The effort by foreign spinners to "bear" the market and their persistence in selling short on the exchange to beat down the price have thoroughly aroused the people of the cotton-growing States, and I have never seen such intelligent cooperation and firm determination to hold cotton for a price that will yield a profit.

We are not only going to hold the cotton we now have until it will yield a profit, but we are going to greatly reduce the cotton acreage this year. It will not be hard to get the producers to cut down their cotton acreage. They have learned, and all of them now well know, that they can get more money for a small than for a large crop.

The winter of 1917 was very cold in the cotton-growing States, and the boll weevil was not so harmful to the crop of 1918 as it would have been following a mild winter; yet while planting a large acreage and trying to produce a big crop, we failed, and produced one of the smallest crops in years. Now, we have had a very mild winter, and every farmer in the boll-weevil-infected area knows that it is going to be very difficult to produce cotton there this year, and he is not going to plant much cotton; he is going to plant other things.

The New York Commercial a day or two ago said that a few years ago the cotton farmers agreed to reduce their acreage, but went home and planted far more cotton than ever, and made a big crop, and received a low price. Well, these farmers have learned by experience from the prices received for the last three crops—small, all of them—that they can get more money for a small crop than for a large one, and they have also learned that by raising foodstuffs and making the farm self-sustaining that they can keep their cotton off the market until the price will yield a profit. Let me say to the New York Commercial, and to all concerned, that the cotton producers of the United States and the financial interests back of them are wiser to-day than when they produced the big crop and received the low price. They know and understand the whole cotton business now better than at any other time in the history of the industry. Go into the cotton-growing States to-day, and behold the teamwork between farmer, merchant, and banker in holding cotton, and you will understand what I mean. Bear speculators and spinners said last fall that we would not hold cotton in any considerable quantity for any length of time, but we did, and are still holding it. These same bear interests are now saying that we will not reduce the cotton acreage this year, but we will.

There are several reasons why the acreage will be greatly reduced. First, it is to the interest of the producer to reduce it. As I have already said, he has learned by experience that he can get more money for a small crop than for a large one, also that it requires less labor and expense to produce a small crop. Every farmer in the cotton belt knows this and knows it well. So when he is urged to cut down his acreage this spring and is told that by doing so he will receive more money for the cotton he does produce, he will know that that statement is true.

An 8,000,000-bale crop in 1919 would in all probability sell for 60 cents a pound, or $2,400,000,000, while if a 12,000,000-bale crop should be made and should sell for 30 cents a pound, it would bring only $1,800,000,000, which is $600,000,000 less than the producer would receive for the small crop of 8,000,000 bales. Does anyone think that the producer would rather have $1,800,000,000 than $2,400,000,000, or that he would deliberately put forth the additional labor and expense required to make the 12,000,000 bales when by doing so he would lose both time and money?

Another reason that the cotton acreage will be reduced is that the merchants and bankers who furnish supplies and money to two-thirds of the cotton producers are demanding that the acreage be reduced before they will advance supplies and money with which to make the crop.

The holding of cotton and the reduction of acreage have been made necessary by a combination of foreign cotton merchants and spinners, aided by certain spinners and speculators in the United States. If cotton prices had remained where the law of supply and demand placed them there would have been no holding of cotton and no reduction of acreage. There is not enough cotton in the United States now to supply the American mills and the spindles of Great Britain, Canada, Spain, and Japan, yet we have seen a combination of foreign and domestic spinners, ignoring the law of supply and demand, selling the futures market short and using every means at their command to beat down the price so they can buy up the American supply

of cotton and then boost the price after cotton has gone from the hands of the American producers.

In an honest futures market, free from manipulation, the price is always above that of spot cotton; yet we have seen the futures market in the United States frequently in the last few weeks driven down by the short selling of fictitious stuff called cotton until the future price was $35 a bale below the price of spot cotton in the markets of the country. Any man who knows anything at all about cotton knows that only wild speculation and, worse than that, rank gambling could produce such a ridiculous situation.

Now, then, when the American cotton producer knew that the bulk of the cotton supply of the world was in his hands and that the world needed several million bales more than he could supply, and when he also knew that a combination of foreign and domestic spinners were ignoring the law of supply and demand and arbitrarily driving down the price to force him to sell for the price that they had agreed among themselves to pay, a price below the cost of production, a price that meant great financial loss to him, what was he, as an intelligent American citizen, to do but hold his cotton and refuse to sell?

For three and a half months the conduct of the exchanges has been most reprehensible. While the war raged and the sea swarmed with submarines and cotton ships were difficult to obtain and ocean freight rates were very high and every bale exported ran the risk of being destroyed, the exchanges quoted cotton at from 32 to 35 cents a pound. Then, under far more favorable conditions, when the war had ended and submarines were gone from the sea and ships had been procured to carry cotton to the allied and neutral nations and ocean freight rates were reduced $17.50 on the bale and when Germany and Austria had made known their desire to obtain 2,000,000 bales of American cotton, the cotton exchanges of the United States suddenly failed and refused to represent and reflect the price justified by these more favorable conditions; but, on the contrary, they immediately became the handy instrument of foreign combinations of cotton merchants and spinners to beat down the price of American cotton.

If the cotton producers of the United States had sold their cotton at the prices manufactured on the cotton exchanges, nothing short of bank failures, bankruptcy, and dire financial distress in all of the cotton-growing States would have resulted. The cotton exchange should, and the honest exchange will, reflect the price warranted by the law of supply and demand; but when the exchange can be manipulated so as to ignore and nullify the law of supply and demand it ceases to serve any legitimate purpose and should be abolished. Let the exchanges observe the rule here announced or prepare to go out of business.

Four months have come and gone since the war ended, and grain and meat produced in the United States are now going into Germany, and the cotton producer of the United States can not quite understand why he is not permitted to sell cotton to Germany. The cotton merchants and spinners of Germany desire to buy and store in the United States 1,000,000 bales of American cotton, to be shipped when peace terms are agreed upon. I for one believe that they should be permitted to do so. There is nothing unfair or unreasonable in this plan, and I am confident that the necessary arrangements will be made to permit this sale of American cotton.

If it is the purpose to keep cotton from going to Germany and Austria for the present, and if, while doing that, we can permit the cotton agents of those countries to buy cotton from our producers and store it in the United States until peace terms are agreed upon, why is not this a fulfillment of our obligations to our allies in this regard? Germany and Austria want 2,000,000 bales of American cotton. If the other cotton merchants and spinners of the Old World do not want Germany and Austria to have any of the American cotton supply, let them come forward and buy the cotton now being held by the American producers, paying for it a price that will yield a profit. If the embargo on American cotton to Germany is used to depress the price here and work injury to the cotton producers of the United States, why should we permit cotton merchants and spinners, even among our allies, to take advantage of this situation and use it to help them beat down the price of American cotton? Why should we be called upon to say that we will not only not permit cotton to go to Germany but we will not even let Germany buy cotton and store it in the United States? Why should the American cotton producers be left to the mercy of a combination of foreign "bear" interests who are trying to buy our cotton at a low price so that they themselves may sell it to Germany and Austria a little later on at a tremendous profit?

If we, in time of peace, permit cotton merchants and spinners among our allies to employ emergency war measures to depress the price of American cotton in the markets of the United States, in order that they may buy it at a low price, are we serving the cotton farmers of the United States or are we turning them over to be pillaged and plundered by the cotton interests of foreign countries?

Our first duty in this business matter is to the cotton producers of the United States. And I am glad to say that those in authority with whom I have talked about this matter are favorable to the plan of allowing Germany to buy cotton and store it here until peace terms are agreed upon, and this will be done. Let me say in conclusion that the experience of the last four months with cotton has taught our farmers, merchants, and bankers in the cotton-growing States a very important lesson. They have learned that they must rely upon themselves to protect and safeguard cotton in the selling season. They have learned that by concerted action they can prevent the forced sale of cotton at destructive prices. Every man who speaks in the cotton belt this spring should urge the reduction of cotton acreage and insist that every farmer should produce his own food supplies and be so fortified this fall with other farm products that he can hold his cotton, if necessary, and refuse to sell until the price is satisfactory. Let our merchants and bankers begin now to prepare to do whatever is necessary this fall to back the cotton producer in his demand for a fair price and a living profit.